

Town of LeRay

Planning Board - Minutes

July 13, 2023

Call to Order

On July 13, 2023, 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 6:36 PM by Chairperson Biondolillo who led the room in the Pledge of Allegiance.

Open Regular Meeting

Board members in attendance: Deborah Biondolillo – Chairperson, Tom Moran – Member, Kerry Young – Member, Brian Jefferds – Member, Patrick Collette – Member, Clarke Oatman – Member, Morgan Melancon – Secretary to Planning and Zoning, and Lee Shimel – Zoning Enforcement Officer. Additionally, Michelle Nickles, Troy Nickles, Joseph Chamberlain, Jerry Chamberlain, Gordon Woodcock, Stephen Gracey, Matt Morgia, Reuben Martin, Titus Glick, and John Eisenhauer were in attendance. Member Albrecht was absent.

Acceptance of Minutes – June 1, 2023

The minutes from the regular meeting on June 1, 2023, were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Oatman and seconded by Member Collette.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
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 then stated that there was correspondence that was discussed during the Work Session meeting.

Chairperson Biondolillo said she had received a letter from Donna Trainham, who owned the property adjacent to the Pivot Solar project on North Martin Road. Mrs. Trainham had concerns regarding the solar farm and Chairperson Biondolillo stated that she had sent a reply letter addressing said concerns. Furthermore, Chairperson Biondolillo stated that two (2) extension request letters had also been recieved. The first of the letters was from Tommy's Express and Chairperson Biondolillo read the extension request letter sent from Paul Sevene, the Vice President of Development and Construction for Tommy's Express.

A motion was made by Member Jefferds and seconded by Member Moran to grant a Site Plan Extension for one (1) year, for Tommy's Express with the extension ending on July 13, 2024.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

The second extension request was from DG Solar and the project representative, Christopher Georgiadis, joined the meeting via telephone. Chairperson Biondolillo reviewed the extension request letter with the Board. Mr. Georgiadis explained that the project had been delayed due to an additional approval process that was unexpectedly

required by the Department of Transportation (DOT). Mr. Georgiadis stated that because the DOT had ownership of a small strip of land that sat on the west side of US Route 11, a Purchase in Surplus approval was necessary in order to build an access road for the site. Mr. Georgiadis explained that typically, their solar projects across New York State followed the standard Commercial Highway Work Permit process with the DOT, but this situation required a Break in Access application, which even their attorney and lobbyist were unfamiliar with.

Mr. Georgiadis stated that in January of 2023 they had submitted the Break in Access application which had since progressed through the local level, regional district, regional director's office, and reached the Property Executive Review Group (PERG) at the State level. Mr. Georgiadis shared that the application was currently awaiting feedback from the DOT at the State level. They had engaged a lobbyist and legal counsel to expedite the approval process and were hopeful that within the next six months, the Break in Access application would receive approval. Following this, they anticipated receiving temporary approval to proceed with the Commercial Highway Work Permit process, ensuring necessary conditions were met, and construction could commence.

Chairperson Biondolillo informed Mr. Georgiadis that the Board had discussed two potential options for the extension: a six-month extension that would overlap with the winter season or a one-year extension. Emphasizing that this would be their final extension, she made it clear that if the project failed to progress by the end of the extension period, DG Solar would need to reapply.

A motion was made by Member Oatman and seconded by Member Jefferds to grant a Special Use Permit and Site Plan extension for DG Solar for one (1) year, with the extension ending on July 13, 2024.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Chairperson Biondolillo informed Mr. Georgiadis that the secretary would be sending him a letter in the mail outlining the details of the extension. Mr. Georgiadis then inquired about the possibility of the Board composing a letter to the NYSDOT to express support for the project, which could assist in expediting the NYSDOT process. He suggested mentioning the one-year extension as a time constraint. However, Chairperson Biondolillo expressed the Board's commitment to treating all projects fairly and avoiding setting precedents. She emphasized that the Board's priority was to support each project's progress without involving themselves in state matters and thus declined his request. Mr. Georgiadis thanked the Board for their approval of the extension and their time.

Public Hearing @ 6:30 PM for a Special Use Permit and a Site Plan Application for Pivot Solar – proposal is to install a 4 MW solar farm on 28 acres, located at 28746 Martin Road North, tax Parcel #55.00-1-42.2.

Chairperson Biondolillo asked the Board to review the Special Use Permit and Site Plan application for Pivot Solar and 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. The Special Use Permit was deemed complete at the June 1, 2023 meeting. Gordon Woodcock was in attendance as the representative.

Chairperson Biondolillo asked the Board if they had any further comments or questions on the project. The Board had none. Chairperson Biondolillo explained that the Lead Agency Coordination letters had been sent out to determine a Lead Agency. As the thirty (30) day time-frame to respond had lapsed, all agencies concurred that the Town of LeRay Planning Board would be the Lead Agency.

A motion was made by Member Collette and seconded by Member Moran to act as Lead Agency to conduct the environmental review for the Type 1 Action.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes

Member Young: Yes	Member Collette: Yes	Chairperson Biondolillo: Yes
The motion passed.		

Part 2 of the Long Environmental Assessment Form had been prepared for the Boards review. 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 Member Oatman.

The vote went as follows:					
Member Moran: Yes	Member Jefferds: Yes	Member Oatman: Yes			
Member Young: Yes	Member Collette: Yes	Chairperson Biondolillo: Yes			
The motion passed.					

Chairperson Biondolillo opened the Public Hearing at 6:49 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on June 22, 2023. Chairperson Biondolillo asked if there were any comments from the audience. Carl Chamberlain, an adjacent landowner, expressed his concerns regarding the project. Mr. Chamberlain questioned why the project was located in that specific part of the parcel instead of further back, and also raised concerns over the swampiness near the driveway.

To address Mr. Chamberlain's questions, Gordon Woodcock and Jeannine Manna provided clarifications. Mr. Woodcock explained that there was a road and utility easement from the project to Route 11, not for site access but to access the interconnect. Chairperson Biondolillo further elaborated that the Department of Transportation (DOT) had denied them access off Route 11, leading to the need for access from North Martin Road. Considering setback laws, the project was pushed back as far as possible. Additionally, Mr. Woodcock and Mrs. Manna explained that wetland delineations had been conducted.

Mr. Chamberlain inquired about the potential glare from the solar panels, given the proximity to a military base, and also inquired as to how the panels were grounded and whether or not it would affect the wells. Chairperson Biondolillo informed him that Fort Drum had been consulted, and they confirmed that the project would not cause any glare issues. Mrs. Manna further stated that Pivot Solar had performed a formal Glare Analysis as well to make sure there was no glare impact to the surrounding residents and to the airport. Mr. Woodcock then explained that the solar array poles were hammered straight into the ground without using anything else, such as concrete. Chairperson Biondolillo continued by confirming that there would be no affects to the wells, further elaborating that the Planning Board had to involve the Department of Transportation (DOT), the Department of Health (DOH), the Department of Environmental Conservation (DEC), U.S. Fish and Wildlife Services (FWS), and the Army Corp of Engineers (ACOE) in order to give Pivot Solar permission to start their project.

Mr. Chamberlain then asked about the effects the project could have on the wildlife to which Chairperson Biondolillo explained that there were some endangered species in the area, but according to the FWS, since the project was below the 25-acre threshold for grassland habitats, it was acceptable. Mr. Woodcock elaborated that any tree clearing would occur between November and March to avoid affecting the listed bat species in the area. Mr. Woodcock voluntarily explained that the fencing would be wooden posts with inverted deer fencing in order to allow small mammals to access the area. Additionally, they would be planting native pollinator habitat to minimize impacts on the land and neighboring properties. Mr. Chamberlain then inquired about the potential noise level of the project, to which Chairperson Biondolillo stated that noise would occur during the construction only.

Mr. Chamberlain questioned whether National Grid had the capacity to handle the energy generated. Mr. Woodcock confirmed that they received approval from National Grid to connect to the 3-phase line along US Route 11, despite the grid reaching saturation in New York. In light of that, Mr. Chamberlain then sought clarification on the project's purpose, and Mr. Woodcock explained that the solar farm contributed to New Yorks renewable energy goals and explained how the renewable energy gained from solar farms were not necessarily used locally, but could be used in all of the National Grid territory. Regarding funding and compensation, Mr. Chamberlain asked if they were operating on a pilot program or receiving financial assistance from the State. Chairperson Biondolillo stated there was no pilot program, while Mr. Woodcock explained that all types of energy, including renewable, were subsidized in New York State.

Mr. Chamberlain noted the visibility of other solar projects along Route 11 to which Chairperson Biondolillo clarified that screening requirements varied in each township. Mr. Woodcock stated that there was already natural screening around the project, and they would be providing supplemental screening in certain areas. Chairperson Biondolillo emphasized that the screening would need to be maintained throughout the project's lifespan. Mr. Chamberlain also mentioned a creek near the interconnect access and asked about its impact. Mrs. Manna stated that they had not delineated any wetlands in the area Mr. Chamberlain referred to, except for a small wet area.

Member Young recalled Mr. Woodcock mentioning that the grid was nearing its capacity for solar projects. Mr. Woodcock confirmed that based on the distribution levels indicated on the maps provided by National Grid, that was indeed the case. In light of that, Member Young wondered if the Town might not see many more solar projects in the future. Mr. Woodcock suggested that it would be a good practice for Towns pursuing such projects to obtain confirmation from developers regarding their utility approval. He noted that most developers would willingly provide this information, as they wouldn't want to waste anyone's time.

A motion was made by Member Young and seconded by Member Jefferds to close the Public Hearing at 7:03 PM.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

The Jefferson County staff advisory comments were reviewed at the June 1, 2023 meeting. Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none. A motion to approve the Special Use Permit Application was made by member Oatman and seconded by Member Collette.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

The Board determined that they had all the required items necessary to deem the Preliminary Site Plan Application as complete. A motion was made by Member Moran and seconded by Member Collette to deem the Preliminary Site Plan Application as complete.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion was made by Member Oatman and seconded by Member Moran to approve the Preliminary Site Plan Application.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion was made by Member Jefferds and seconded by Member Collette to review the Final Site Plan.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Since there were no changes needed on the Final Site Plan, a motion was made by Member Young and seconded by Member Jefferds to approve the Final Site Plan Application with the condition that the Decommissioning Plan and the Road Maintenance Agreement be finalized prior to the issuance of the Zoning Permit.

The vote went as follows:			
Member Moran:	Yes	Member Jefferds:	Yes
Member Young:	Yes	Member Collette:	Yes
		Member Oatman:	Yes
		Chairperson Biondolillo:	Yes
The motion passed.			

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Champion Enterprises – proposal is to subdivide an existing 249.07-acre parcel into 2 lots: Lot 1 = 10.86 acre and the remaining Lot 2 will be 238.21 acres, located at 32466 County Route 18, tax parcel #45.00-3-7.1.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat for Champion Enterprises. Stephen Gracey was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo opened the hearing at 7:09 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on June 22, 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 at 7:10 PM.

The vote went as follows:			
Member Moran:	Yes	Member Jefferds:	Yes
Member Young:	Yes	Member Collette:	Yes
		Member Oatman:	Yes
		Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Oatman and seconded by Member Collette to discuss the Preliminary Subdivision Plat.

The vote went as follows:			
Member Moran:	Yes	Member Jefferds:	Yes
Member Young:	Yes	Member Collette:	Yes
		Member Oatman:	Yes
		Chairperson Biondolillo:	Yes
The motion passed.			

The Board determined that the Preliminary Subdivision Plat met all the checklist requirements. Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none. A motion was made by Member Young and seconded by Member Jefferds to approve the Preliminary Subdivision Application.

The vote went as follows:			
Member Moran:	Yes	Member Jefferds:	Yes
Member Young:	Yes	Member Collette:	Yes
		Member Oatman:	Yes
		Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Jefferds and seconded by Member Collette to review the Final Subdivision Application.

The vote went as follows:			
Member Moran:	Yes	Member Jefferds:	Yes
Member Young:	Yes	Member Collette:	Yes
		Member Oatman:	Yes
		Chairperson Biondolillo:	Yes
The motion passed.			

Since there were no changes needed on the Final Subdivision Plat, a motion was made by Member Young and seconded by Member Oatman to approve the Final Subdivision Application.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Chairperson Biondolillo informed Mr. Gracey that the secretary would send him an approval letter in the mail.

Public Hearing @ 6:30 PM for a 4-Lot Minor Subdivision Application for Titus Glick – proposal is to subdivide an existing 97.34-acre parcel into 4 lots: Lot 1 = 1 acre, Lot 2 = 1.15 acres, Lot 3 = 1.11 acres, and the remaining Lot 4 will be 94.08 acres, located at 30831 County Route 30, tax parcel #55.00-1-32.1.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat for Titus Glick, who was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo opened the hearing at 7:13 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on June 22, 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 at 7:13 PM.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion was made by Member Oatman and seconded by Member Collette to discuss the Preliminary Subdivision Plat.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

The Board determined that the Preliminary Subdivision Plat met all the checklist requirements. Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none. A motion was made by Member Moran and seconded by Member Young to approve the Preliminary Subdivision Application.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion was made by Member Oatman and seconded by Member Jefferds to review the Final Subdivision Application.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Since there were no changes needed on the Final Plat Map, a motion was made by Member Collette and seconded by Member Oatman to approve the Final Subdivision Application.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes

Chairperson Biondolillo informed Mr. Glick that the secretary would send him an approval letter in the mail.

Sketch Review of a Site Plan Application for Travani Construction Office – proposal is to renovate the existing building for utilization as an office, located at 26252 NYS Route 3, tax parcel #83.08-2-50.1.

Chairperson Biondolillo asked the Board to review the Site Plan Application for Travani Construction Office. Matt Morgia was in attendance as the representative and gave a brief presentation. Chairperson Biondolillo informed Mr. Morgia that he would need to provide stamped copies of the maps prior to sending the project to the Jefferson County Planning Board for their review.

Mr. Morgia presented the project, stating that the existing building was formerly a retail facility that Travani Construction was looking to renovate to use as their construction office. Mr. Morgia reviewed the maps with the Board, explaining the layout. Most of the frontage was all existing driveway to Route 3 and was essentially an unmarked asphalt parking lot that surrounded the building.

Mr. Morgia explained that he had received an email on June 26, 2023, outlining the Planning staffs' comments and questions on the Site Plan. Mr. Morgia provided the Board with a copy of his response letter to the comments and read as follows:

- “Within the application the addresses that reflected LeRay, NY with a 13601 zip code should be Watertown, NY.”
Response: All applications had been updated with the correct addresses.
- “The Site Plan should include widths of ingress and egress.”
Response: The widths of ingress and egress along NYS Route 3 and Twin Oaks Drive had been added to the revised Site Plan. An existing curb, north of the building, delineated widths of ingress and egress to NYS Route 3. The eastern and western ingress/egress were both 50 foot wide.
- “Please include a note that this is Water District 1 and Sewer District 3. The Town has a 20’ easement for the waterline to the curb stop – this should be labeled.” The Town owns the sewer to the foundation – please label the 20’ easement for the sewer lines.
Response: The easements for the sewer and water lines had been labeled on the revised Site Plan. Additionally, a note was included to indicate that the property was in Water District 1 and Sewer District 3.
- “Please label snow storage areas.”
Response: Snow storage areas had been labeled on the revised Site Plan.
- “Will there be a dumpster? If so, this will need to be screened and details for the enclosure will need to be included. Also, please show the proposed location on the Site Plan.”
Response: All trash would be handled internally and there would be no dumpster onsite, other than during construction renovation.
- “Will any new exterior lighting be proposed?”
Response: No new exterior lights proposed, all exterior lights shown were existing.
- “A fire lane will need to be shown.”
Response: The fire lane has been shown on the Revised Site Plan.
- “Due to the amount of pavement on the Site, the Board may ask for added landscaping in the form of potted plants for the site.”

Response: Acknowledged.

- “The Board Members will also discuss the proposed sign in the existing locations vs. the code.”

Response: Acknowledged.

- “Please label employee parking.”

Response: The employee parking has been labeled on the revised Site Plan.

Mr. Morgia said the Board had been provided with photographs of the sign and explained that the existing sign that hung over the lower entryway roof was supported by metal supports from the upper roof and emphasized that the sign did not protrude past the building. Chairperson Biondolillo pointed out that in a Residential Single-Family (R-1) District, a monument sign was typically required. However, after discussions with Mr. Shimel and Mrs. Jenack, a monument sign was decided against due to visibility concerns and the lack of a suitable location. Therefore, Chairperson Biondolillo concluded that, after discussing with the Planning Board, utilizing the existing sign would be a better option.

Regarding landscaping, Chairperson Biondolillo explained that since the entire area was covered with asphalt, the suggestion of adding some potted plants in front of the building was intended to break up the blacktop and also to meet the requirements for landscaping per code, in addition to the existing trees on the property.

Chairperson Biondolillo asked the Board if anyone had any additional comments or questions. Member Moran if the space between the two delineated driveways would be used for snow storage or if it would be cleared out. He expressed his concern regarding the potential impacts on visibility and safety if there were to be snow storage there. Mr. Morgia acknowledged that in previous storms, such as the year prior, snow was often stored wherever possible, but he expected that they would keep it clear. Both Member Moran and Member Young sought clarification on the presence of equipment, supply, or staging storage on the site. Mr. Morgia confirmed that, to the best of his knowledge, there would be no such facilities on the premises, except for office space.

Secretary Melancon mentioned that the County Planning Board Meeting deadline was that day, on July 13, 2023. She said she would reach out to the County Planning Department to ensure they would accept the submittal on July 14, 2023. Chairperson Biondolillo asked if they could receive the updated Site Plan by the following week to which Mr. Morgia said they would provide it by tomorrow morning.

Part 2 of the Short Environmental Assessment Form had been prepared for the Boards review. A motion was made by Member Young and seconded by Member Collette to act as Lead Agency to conduct the environmental review for the Unlisted Action.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
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 Jefferds.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

The Board determined that the Preliminary Site Plan application was complete. A motion to deem the application complete was made by Member Moran and seconded by Member Oatman.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion was made by Member Young and seconded by Member Moran to send the project to the County Planning Board for review at their July 25, 2023 meeting.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion was made by Member Young and seconded by Member Jefferds to set a Public Hearing for the August 3, 2023 meeting at 6:30 PM.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Chairperson Biondolillo informed Mr. Morgia that the Secretary would send him a letter outlining the Public Hearing information.

Sketch Review of a Site Plan Modification Application for Nickles Hauling – proposal is to expand the existing gravel parking lot for truck parking and storage and add site lighting on the existing service shop, located at 26080 Eagle Ridge Road, tax parcel #64.20-1-22.21.

Chairperson Biondolillo asked the Board to review the Site Plan Modification for Nickles Hauling. Troy Nickles was in attendance as the representative and gave a brief presentation. Mr. Nickles briefly presented the changes, including a slight extension of the parking lot, the addition of permanent employee parking next to the building (including an ADA handicap spot), a few permanent parking spots near the leased storage building, and the installation of one exterior light by the main shop's entry door. Chairperson Biondolillo asked the Board if anyone had any additional comments or questions. Member Moran commended them for keeping the area well-maintained, and Mr. Nickles expressed gratitude, mentioning their plan to plant more trees to enhance the overall appearance. The rest of the Board echoed their agreement with Member Moran's comment.

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 158-26.1 (2)b of the municipal code, 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:

- traffic generation Yes No
- water consumption Yes No
- adversely affect pedestrian and traffic circulation Yes No
- eliminate or adversely affect parking Yes No
- necessitate the review of exterior facades Yes No
- other potential adverse effects to public health, safety, or welfare Yes No

would otherwise meet existing requirements and standards as contained in the Zoning Code Yes 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 Young and seconded by Member Moran.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

A motion to grant final approval for the Modified Site Plan was made by Member Oatman and seconded by Member Collette.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Chairperson Biondolillo gave Mr. Nickles a signed Modified Site Plan and informed him that an approval letter would be sent in the mail.

Report from Planning Board Chairperson

Chairperson Biondolillo informed the Board that there was a proposal to open a Karate Studio where the current US Care System was located on Route 3. She then asked if the Board members recalled the previously approved Site Plan and the concerns as to whether the trees for the screening had been planted in the rear of the building. Member Young stated that she did not believe any trees were ever planted, as she passed by the area daily. Chairperson Biondolillo acknowledged that the trees were indicated on the Site Plan, but she suspected that no one followed up on that requirement. Her other concern related to the amount of parking proposed for the new Karate Studio.

Chairperson Biondolillo then shared that there had been further conversations with the Calcium Fire Department. An email was received from Tim Newman, the Calcium Fire Chief, seeking clarification on the Town Board's decision regarding the potential abandonment of Stalder Road. Specifically, Mr. Newman was interested in understanding Councilman John Eisenhauer's comments on the matter. Chairperson Biondolillo and Mr. Eisenhauer discussed the emails. Mr. Eisenhauer expressed his perspective, emphasizing that the lack of access to the parcel in the event of a future subdivision would be a major issue. In response, Chairperson Biondolillo suggested that it would be beneficial to meet with Mr. Newman again to assess their current progress, taking into account the Town's stance of not wishing to abandon Stalder Road.

Next, Chairperson Biondolillo brought up the matter of William Young's property on North Martin Road, where he intended to pursue a subdivision. A challenge arose from the fact that Mr. Young's property had no road frontage. There was only a narrow strip of driveway that ran behind Bruce Johnson's property, leading to Mr. Young's property. If he proceeded with the subdivision, there would be no feasible way to access the newly subdivided property. To address this issue, Chairperson Biondolillo had been in communication with Robert Busler from LaFave, White, and McGivern. Mr. Busler was tasked with reviewing old railroad maps to identify any possible breaks in access or other relevant details in that area. Chairperson Biondolillo assured the Board that the matter was still under consideration, and she would continue to follow up on it as the situation developed.

Chairperson Biondolillo reported on a proposal from Mr. and Mrs. Nickles for a quadraplex apartment building in a Mixed Use (MU) District. The project would require a Site Plan review and a Special Use Permit application and

was still under consideration. There would be a meeting on the project to ensure all the requirements were met before proceeding any further.

Lastly, Chairperson Biondolillo remarked that the restaurant on Mr. Burnham's property, located along State Route 3, was up and running and Member Young mentioned that the property looked cleaned up, as she remembered that was a concern from the last meeting.

Adjournment

A motion was made by Member Young and seconded by Member Moran to adjourn the meeting at 7:43 PM.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Collette:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					