

Town of LeRay

Planning Board - Minutes

October 5, 2023

Call to Order

On October 5, 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 6:30 PM by Chairperson Biondolillo who led the room in the Pledge of Allegiance.

Open Regular Meeting

Board members in attendance: Deborah Biondolillo – Chairperson, Kerry Young – Member, Brian Jefferds – Member, William Albrecht – Member, Jessica Jenack – Community Development Coordinator, Morgan Melancon – Secretary to Planning and Zoning, and Lee Shimel – Zoning Enforcement Officer. Member Pat Collette, Member Clarke Oatman, and Member Tom Moran were absent. Additionally, Stephen Gracey, Joan Johnson, Bruce Johnson, and Mike Young were in attendance.

Acceptance of Minutes – September 7, 2023

The minutes from the regular meeting on September 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 Young.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	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 asked Ms. Melancon if there was any correspondence to which she replied there was none.

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Thirty One Development, LLC – proposal is to subdivide an existing 91.01-acre parcel into 2 lots: Lot 1 = 4.28 acres and the remaining Lot 2 will be 86.73 acres, located at 26381/385 US Route 11, tax parcel #65.00-1-54.1.

Chairperson Biondolillo asked the Board to review the Revised Preliminary Subdivision Plat for Thirty One Development, LLC. Mr. Gracey was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo opened the Public Hearing at 6:35 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on September 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 Albrecht to close the Public Hearing at 6:35 PM.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Young and seconded by Member Jefferds to review and discuss the Revised Preliminary Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
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 Map met all the requirements with no additional changes, therefore a motion was made by Member Jefferds and seconded by Member Albrecht to approve the Revised Preliminary Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Albrecht and seconded by Member Jefferds to review the Final Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

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

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
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 2-Lot Minor Subdivision Application for Daniel and Suanne Slate – proposal is to subdivide an existing 3.81-acre parcel into 2 lots: Lot 3A = 1.87 acres and the remaining Lot 3B will be 1.94 acres, located at 26513 Alverson Road, tax parcel #44.00-3-30.23.

Chairperson Biondolillo asked the Board to review the Revised Preliminary Subdivision Plat for Daniel and Suanne Slate. Mr. Gracey was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo opened the Public Hearing at 6:38 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on September 21, 2023. Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Albrecht and seconded by Member Jefferds to close the Public Hearing at 6:39 PM.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Young and seconded by Member Jefferds to review and discuss the Revised Preliminary Subdivision Plat.

The vote went as follows:			
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Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
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 Map met all the requirements with no additional changes, therefore a motion was made by Member Jefferds and seconded by Member Albrecht to approve the Revised Preliminary Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Young and seconded by Member Albrecht to review the Final Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

Since there were no changes to the Final Subdivision Plat, a motion was made by Member Albrecht and seconded by Member Jefferds to approve the Final Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
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 2-Lot Minor Subdivision Application for Dylan Dusharm – proposal is to subdivide an existing 45.2-acre parcel into 2 lots: Lot 1 = 26.3 acres and the remaining Lot 2 will be 13.3 acres in the village of Evans Mills and 5.1 acres in the Town of LeRay, located at 28487 Martin Road North, tax parcel #55-00-1-40.3.

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

Chairperson Biondolillo opened the Public Hearing at 6:41 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on September 21, 2023. Chairperson Biondolillo asked if there were any comments from the audience. Bruce Johnson, a neighboring landowner, voiced his concerns regarding access to Lot 1. Given the existing easement across his property that granted access to Mr. Young's property (Lot 2) from Martin Road North, Mr. Johnson sought clarification on how Mr. Dusharm would access Lot 1 – whether through the same means or an alternative route. Chairperson Biondolillo explained that the Board had decided Lot 1 must establish a dedicated driveway off Elm Ridge Road. Additionally, Chairperson Biondolillo informed Mr. Johnson that there were no plans to develop Lot 1 and it was intended to be used for recreational purposes.

Chairperson Biondolillo asked Mr. Gracey if he had heard from the Village of Evans Mills regarding the project. Mr. Gracey said the Village had informed him that they would sign off on the project.

Member Young disclosed that although she was related by marriage to the property owner, William Young, she had no financial or other personal gain associated with this matter as a Board member.

A motion was made by Member Albrecht and seconded by Member Jefferds to close the Public Hearing at 6:44 PM.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Albrecht and seconded by Member Young to review and discuss the Revised Preliminary Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
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 Map met all the requirements with no additional changes, therefore a motion was made by Member Jefferds and seconded by Member Albrecht to approve the Revised Preliminary Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion was made by Member Jefferds and seconded by Member Albrecht to review the Final Subdivision Plat.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
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 Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

Chairperson Biondolillo informed Mr. Gracey that he would receive an approval letter in the mail.

Sketch Review of a 6-Lot Major Subdivision Application for William Jesmore II – proposal is to subdivide an existing 84.38-acre parcel into 6 lots: Lot 1 = 47.66 acres, Lot 2 = 23.58 acres, Lot 3 = 3.80 acres, Lot 4 = 2.74 acres, Lot 5 = 3.11 acres, and the remaining Lot 6 will be 3.49 acres, located at 30765 Farrell Road, tax parcel #54.00-3-8.1.

Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat for William Jesmore II. Mr. Gracey was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo informed Mr. Gracey that the Board was requesting the approximate locations of the septic and well for the house to be added to the Plat Map. Member Albrecht asked if the narrow part of Lot 1, where the strip met the larger back portion, was wide enough for a driveway. Mr. Gracey confirmed that it was, stated that it was close to 75 feet wide. Chairperson Biondolillo mentioned the Town's abandonment of Alverson Road, and Mr.

Gracey clarified that even though the Town had abandoned its rights to the road, it didn't prevent Mr. Jesmore from using it. The Board further discussed the layout of the parcels on the Plat Map and the rights to the use of the abandoned road. Chairperson Biondolillo then said the Board was requesting that the brush and trees be depicted on the Plat Map.

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 Albrecht and seconded by Member Young to act as Lead Agency to conduct the environmental review for the Unlisted Action.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	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 Young and seconded by Member Albrecht.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

The Board determined that the Preliminary Subdivision Application was complete. A motion was made by Member Young and seconded by Member Jefferds to deem the Preliminary Subdivision Application as complete.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion to set a Public Hearing for the November 2, 2023 meeting at 6:30 PM was made by Member Jefferds and seconded by Member Young.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

Chairperson Biondolillo informed Mr. Gracey that he would need to provide three (3) copies of the Revised Plat Map no later than October 20, 2023 by noon, and that he would receive a letter in the mail outlining the upcoming Public Hearing details.

Sketch Review for a 2-Lot Minor Subdivision Application for Justin Davis – proposal is to subdivide an existing 4-acre parcel into 2 lots: Lot 1 = 1.73 acres and the remaining Lot 2 will be 2.27 acres, located along Rockbrook Estates Road, tax parcel #56.00-2-5.131.

Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat for Justin Davis. Mr. Gracey was in attendance as the representative and gave a brief presentation. Mr. Gracey stated that the sale of the property from Shaun Macaulay to Justin Davis had been closed on but had not yet been recorded. Chairperson Biondolillo asked that the deed reference be updated on the Plat Map.

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

Albrecht and seconded by Member Young to act as Lead Agency to conduct the environmental review for the Unlisted Action.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	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 Young and seconded by Member Albrecht.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

The Board determined that the Preliminary Subdivision Application was complete. A motion was made by Member Young and seconded by Member Jefferds to deem the Preliminary Subdivision Application as complete.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

A motion to set a Public Hearing for the November 2, 2023 meeting at 6:30 PM was made by Member Jefferds and seconded by Member Young.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

Chairperson Biondolillo informed Mr. Gracey that he would need to provide three (3) copies of the Revised Plat Map no later than October 20, 2023 by noon, and that he would receive a letter in the mail outlining the upcoming Public Hearing details.

Report from Planning Board Chairperson

Chairperson Biondolillo reported that she had spoken with Mr. Shimel that day, noting that KO Storage had installed a scrolling message sign that had not been approved during the Site Plan process. A letter would be sent to them, requiring a Site Plan Modification for the sign. Mr. Shimel reported that KO Storage was relocating the existing wall-mounted sign from the front of the building to inside the existing fence, installing a new sign on the building's front where the old sign was moved from.

Additionally, Chairperson Biondolillo mentioned that the Splash Pad Carwash also had an electronic sign, not indicated on the Sign Permit or the approved Site Plan. She stated the need for them to also undergo a Site Plan Modification to address the issue. The carwash had already agreed to limit the transition time between messages to once per hour. She suggested holding all electronic signs in the Town to that standard until further notice. Member Young mentioned that the sign was off when she drove by, and Chairperson Biondolillo speculated that the sign was currently nonfunctional.

Chairperson Biondolillo expressed concerns about electronic signs in the Town, suggesting the Board review the code considering the evolving nature of electronic signs in the Town. Mr. Shimel suggested that they should consult

New York State regulations, which required 8-second dwells. He then suggested bringing in someone from the sign industry to explain trends and help the Board make informed decisions for their review of the code.

Chairperson Biondolillo then raised concerns about moving background images on electronic signs and whether they should be allowed. Member Jefferds wondered if there was a standard number of messages on a modern electronic sign and suggested exploring the market options. Chairperson Biondolillo said they would also need to consider night sky compliance and said that it was within the rights of the Board to request a cut sheet on lumens for that purpose. Member Albrecht asked Mr. Shimel about the adjustment of sign timers for Splash Pad Carwash, and whether it was done manually or remotely. Mr. Shimel speculated that it was done remotely from the office.

Chairperson Biondolillo commented that the sign at Splash Pad Carwash appeared taller than what was approved, and that there was no stone on the front of the building as depicted on the approved Site Plan. Mr. Shimel commented that the sign, according to municipal code, could be no taller than the building. Chairperson Biondolillo stated that it was not but would need to be looked into further.

The next steps would be to send letters to KO Storage and Splash Pad Carwash, notifying them of the requirement to submit for a Site Plan Modification. This submission would include new renderings of the signs and updated cut sheets. Member Albrecht suggested that both signs should be turned off during the approval process, and if the code was modified, they could be notified. The Board concurred, deciding to wait until more members were present to discuss potential updates to the code regarding electronic signs. Mr. Shimel confirmed that he would email both businesses, instructing them to turn off their signs temporarily.

Adjournment

A motion was made by Member Young and seconded by Member Jefferds to adjourn the meeting at 7:09 PM.

The vote went as follows:			
Member Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			