

Town of LeRay

Planning Board – Work Session

July 11, 2024

Call to Order

The July 11, 2024 Work Session portion of the LeRay Planning Board meeting took place in the Town of LeRay Board Room. The meeting was called to order by Chairperson Biondolillo at 6:00 PM.

Roll Call

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

Acceptance of Work Session Minutes

The June 6, 2024 Work Session minutes were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Young 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 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.

Sketch Review for a 5-Lot Major Subdivision Application for Felix Velazquez – proposal is to subdivide an existing 15.45-acre parcel into 5 lots: Lot 1 = 1.90 acres, Lot 2 = 1.02 acres, Lot 3 = 1.01 acres, Lot 4 = 0.82 acres, and the remaining Lot 5 = 9.85 acres, located at 27662 US Route 11, tax parcel #65.09-1-2.

Chairperson Biondolillo noted that a shed on parcel #65.09-1-3 had extended over the boundary into proposed lot 5 and may need to be relocated. They would need to contact the New York State Department of Transportation (NYSDOT) when applying for a driveway permit, as the parcels were located along US Route 11. Mrs. Jenack said the sewer running up the west side of US Route 11 was part of the Town's new consolidated district extension. It was noted that the sewer easement had never been recorded, therefore they would need to return to the Town for service connection to these lots.

Sketch Review for a 2-Lot Minor Subdivision Application for Justin Davis – proposal is to subdivide an existing 4.14-acre parcel into 2 lots: Lot 1 = 2.07 acres, and the remaining Lot 2 = 2.07 acres, located along Keyser Road, tax parcel #54.00-3-7.323.

Chairperson Biondolillo noted that parcel #54.00-3-7.325, situated at the rear of the proposed lots, was landlocked. During the original 5 Lot Subdivision for Mr. Davis in February of 2021, it was stated that the abutting owner had signed a notarized document stating they would acquire parcel #54.00-3-7.325 and combining it by deed with their land. The parcels had not yet been combined as previously agreed. The Board decided that Mr. Vargulick, the Town Assessor, would be the appropriate contact to address this oversight.

Sketch Review of a Site Plan Modification Application for Wewer Holding Corp – proposal is to make changes to the Site Plan that was approved on February 22, 2024, located at 27375 US Route 11, tax parcel #65.09-1-15.21.

Chairperson Biondolillo noted that while the requested changes to the project were not significant individually, the cumulative effect of multiple modifications warranted a Site Plan Modification.

Extension Request for an approved Site Plan and Special Use Permit Application for Pivot Solar, located at 28747 Martin Road North, tax parcel #55.00-1-42.2.

Chairperson Biondolillo said Pivot Solar had requested an extension for their approved Site Plan and Special Use Permit. They were waiting on the final utility design at the project Point of Interconnection from National Grid, and the final US Army Corps of Engineers (USACE) decision on the Joint Application for the Permit that had been filed on July 12, 2023. She noted that the Road Maintenance Agreement was still outstanding. The Board considered granting them a 12-month extension for their project.

Report from the Zoning Enforcement Officer

Mr. Shimel reported that he had issued a Remedy of Violation letter to a property owner on Route 342. The owner had contacted him, confirming the removal of some items and gave a cleanup date of August 16th. Mr. Shimel requested a formal letter from the property owner confirming the commitment.

The Board discussed Battery Energy Storage Systems. Mr. Shimel noted that According to the New York State Battery Energy Storage System Guidebook, the recommended distance between units to prevent the spread of fires was 10 feet. However, Mr. Shimel, supported by Mr. Albrecht, suggested that a greater distance of 30 feet would be more effective for safety purposes.

Mr. Shimel reported that the Valley Veterinary Clinic, located along Route 283, would be submitting a Site Plan Modification to add an addition to the building including parking and a surgical unit.

Lastly, Mr. Shimel reported that the Town Board had extended the Solar Moratorium by six (6) months. Tim Titus from the Calcium Fire Department also approached the Town Board about their plans to abandon a portion of Stalder Road.

Report from the Planning Board Chairperson

Chairperson Biondolillo reported that the National Grid Transmission project would require a Site Plan Modification application. The signed Developer Agreement had been submitted, pending the accompanying payment.

Mr. Gerlack had expressed interest in selling his adjacent property and requested a modification to their previously approved subdivision from February 1, 2024. The Town code does not provide an option for modifying an approved subdivision; therefore a new subdivision application would be necessary.

Chairperson Biondolillo said she had heard back from the Town Attorney, Mr. Burrows, regarding the Zone Change application from Mr. KoKinda. A letter had subsequently been sent to Mr. Kokinda regarding

his request, informing him that he would need to provide detailed information and justification to both the Planning Board and the Town Board for seeking the Zone Change.

Regarding the Ford Drum Drives project, the landscaper Nick Hancock reached out about the landscaping requirements. The Board had determined that planters along the front of the building would be acceptable for landscaping due to various factors such as the gravel drive, proximity to power lines, and water mains. Member Young inquired about the number of vehicles allowed on the lot. The Board discussed the fact that a lease had been requested previously to show the acreage for the property. Mr. Shimel and Chairperson Biondolillo stated that there may never have been a lease in place to begin with, and suggested that in lieu, they could count the property as 1 acre with a limit of 50 vehicles until proper documentation could be provided. It was decided that Mr. Shimel would reach out to Fort Drum Drives regarding the issue.

Adjournment

A motion to adjourn the work session at 6:25 PM was made by Member Collette and seconded by Member Oatman. 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 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.