

Call to Order

The October 5, 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 6:00 PM.

Roll Call

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.

Acceptance of Work Session Minutes – September 7, 2023

The Work Session minutes from September 7, 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 Young:	Yes	Member Albrecht:	Yes
Member Jefferds:	Yes	Chairperson Biondolillo:	Yes
The motion passed.			

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Thirty One Development, LLC, located at 26381/385 US Route 11, tax parcel #65.00-1-54.1.

Chairperson Biondolillo shared that Mr. Simao had purchased the property from Robert and Janice Piatt, with plans to subdivide off a section (Lot 1) that included the Piatts' residence. The primary concern pertained to the location of the 200 feet of road frontage required for the driveway.

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Daniel and Suanne Slate, located at 26513 Alverson Road, tax parcel #44.00-3-30.23.

Chairperson Biondolillo said a driveway was proposed for Lot 1, leaving Lots 2, 3A, and 3B to utilize the shared driveway. This approach would prevent creating four (4) lots that shared a single driveway. Per Town code, any driveway serving over three (3) lots would be considered a road. Additionally, they had provided Revised Plat Maps depicting a vehicle turnaround at the end of the shared driveway by Lot 3B.

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Dylon Dusharm, located at 28487 Martin Road North, tax parcel #55.00-1-40.3.

Chairperson Biondolillo stated that the subdivision was being done in conjunction with the Village of Evans Mills, given that a portion of Lot 2 fell within the Village boundaries. She informed the Board that a letter had been sent to the Village notifying them of the project. She hoped Mr. Gracey would be able to provide an update during the Public Hearing.

Additionally, Mrs. Jenack explained that during the pre-submittal meeting, they had requested the delineation of the Town of LeRay and Village of Evans Mills boundaries. They had also asked for the depiction of a driveway to Lot 1 off Elm Ridge Road. Member Albrecht raised concerns about the driveway's placement and Mrs. Jenack clarified that it was preliminary and subject to change during the driveway permitting process, serving only to indicate access to Lot 1 without utilizing the existing easement onto Lot 2.

Sketch Review of a 6-Lot Major Subdivision Application for William Jesmore II, located at 30765 Farrell Road, tax parcel #54.00-3-8.1.

Chairperson Biondolillo reviewed the Plat Map with the Board, highlighting that the shape of Lot 1 was to ensure that it had road frontage along Farrell Road, preventing it from being landlocked. She further explained that the house of William Jesmore II was located on parcel #54.00-3-8.2, which he planned to combine by deed with Lot 2 after the subdivision, intending to retain that property. Lots 3, 4, 5, and 6 were intended for sale.

Chairperson Biondolillo said the Board would need to ask that the approximate location of the septic and well be added to Lot 2 on the Plat Map, and that a Revised Plat Map would be needed before Final Approval could be granted.

Member Albrecht mentioned wooded areas that were not depicted on the Plat Map. Mrs. Jenack commented that the location of existing wooded areas for any proposed subdivision was a requirement, and the Board could request their inclusion on the Revised Plat Map.

Member Albrecht inquired whether the narrow part of Lot 1, where the strip met the larger back portion, was wide enough for a potential driveway. Chairperson Biondolillo said she would ask Mr. Gracey what the width of the opening was.

Sketch Review of a 2-Lot Minor Subdivision Application for Justin Davis, located along Rockbrook Estates Road, tax parcel #56.00-2-5.131.

Chairperson Biondolillo said that Shaun Macaulay had recently sold the parcel to Justin Davis. The Deed Reference on the Plat Map would need to be updated. Mrs. Jenack said Rockbrook Estates Road was a private road, and there was an existing agreement in place for its care and maintenance. She noted that the road was an old private road, established before private roads were restricted in the Town due to concerns over emergency access.

Report from Zoning Enforcement Officer

Mr. Shimel said he had spoken with the manager of the LeRay Kentucky Fried Chicken (KFC) concerning the unpermitted dumpster. The manager had requested a copy of the code that dictated that the dumpster had to be enclosed.

He then reported that a civil engineer was working on a Site Plan for the old Stewarts gas station, and a permit had been sent to the New York State Department of Environmental Conservation (NYSDEC) to remove the fuel tanks. Additionally, the canopy would be removed.

Next, Mr. Shimel reported that he had worked with the Town Clerk, Melissa Verne, to conduct a review of vacant parcels in the Town subject to Equivalent Dwelling Unit (EDU) charges. The focus was on identifying unbuildable parcels that would no longer be assessed a half EDU. Additionally, ongoing efforts with the Clerk to the Supervisor, Nathan Toutant, involved determining the EDU charges for the new Splash Pad Carwash.

Mrs. Jenack clarified the situation for the Board, explaining that concerns arose regarding small properties being charged an EDU, a user fee for municipal water and sewer services. Some residents had argued that their lots were too small to build on and therefore did not warrant EDU charges. Recognizing the need for modification, the Town Board considered a revision to the Town law. The proposed amendment would specify that only buildable lots were subject to EDU charges, ensuring clarity moving forward.

Mr. Shimel reported the approval of a Zoning Permit for a ground-mounted solar panel on Elm Ridge Road. Despite the Town Board passing the moratorium for Solar, it had not yet been officially signed by the Secretary of State. Consequently, until the Town Attorney, Jim Burrows, received notification that the moratorium was signed, permits could still be issued for solar. Mr. Shimel assured the Board that he had contacted Mr. Burrows to verify the status of the moratorium before issuing the permit.

On Keyser Road, there were indications of potential development, as individuals from LaFave, White & McGivern were observed at one of the homes. Mr. Shimel said the exact nature of the activity was unclear.

Mr. Shimel informed the Board that NASA had developed a prototype for a Sulfur Selenium Solid-State Battery that was lighter and could withstand more heat. He stated that it would first be utilized in the airline industry before going to the general public and was supposed to be safer.

Member Young commented that during a training program she had attended, it was revealed that if the landowner of a solar project had not invested a certain amount of money on their project, Municipalities retained the right to withdraw from the project. Mr. Shimel advised caution in using litigation for such matters. Member Young agreed and clarified that her intention for this consideration was aimed towards solar projects not yet on the agenda, rather than those already approved. Mr. Shimel remarked that the Road Use Maintenance Agreement for the Chamberlain Solar Project was still pending finalization, and a Zoning Permit was contingent on this process.

Report from Planning Board Chairperson

Chairperson Biondolillo reported on a potential subdivision on Admiral's Walk concerning parcel #83.08-1-56.52. The parcel, shaped like an "L," featured waterfront property along the Black River at the bottom of the "L." The owner, Adam Houde, was considering the possibility of subdividing the lot and offering portions to parcels 83.08-1-46, 83.08-1-45, 83.08-1-28, and 83.08-1-27. Unanimous agreement among the owners was necessary for the plan to proceed, making it an all-or-nothing situation. Mr. Shimel noted that parcels 83.08-1-46 and 83.08-1-45 were owned by the same person. Chairperson Biondolillo emphasized that the project was still in the planning phase and that she was in ongoing communication with Mr. Stephen Gracey from LaFave, White & McGivern.

Next, Chairperson Biondolillo announced that the Comprehensive Planning Committee was prepared to present the Draft Comprehensive Plan to the public. A meeting was scheduled for October 23, 2023, to receive public comments and she invited the Board to attend as a demonstration of support. Additionally, the Comprehensive Planning Committee planned to conduct a preparatory meeting on October 16, 2023. Mrs. Jenack said that if any Board members were unable to attend the meeting but would like a copy of the Draft Comprehensive Plan, to inform the Committee. She stated that all comments were welcome.

Adjournment

A motion to adjourn the Work Session at 6:27 PM was made by Member Young and seconded by Member Jefferds.

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