

# Town of LeRay

## Planning Board - Minutes

November 7, 2024

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### Call to Order

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On November 7, 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

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In attendance: Deborah Biondolillo – Chairperson, Clarke Oatman – Member, Patrick Collette – Member, Kerry Young – Member, Brian Jefferds – Member, Lee Shimel – Zoning Enforcement Officer, Morgan Melançon – Secretary to Planning and Zoning, Leland Carpenter – Town Supervisor, Nathan Toutant – Clerk to the Supervisor, and Mike Altieri – Town Engineer. Additionally, Sam Biondolillo, Lisa Meeks, Laura Kilgore, Paul Kilgore, Bill Jesmore, Randy Comenole, Andrew Garlock, Stephen Gracey, Tim Newman, Dan Drappo, Michael Lundy, Scott Weston, and Matthew Morgia were in attendance. Member Thomas Moran was absent.

### Acceptance of Minutes

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The minutes from the regular meeting on October 3, 2024, 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 Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. A motion to change the December meeting submittal deadline to November 19, 2024, and to change the January meetings submittal deadline to December 18, 2024, was made by Member Collette and seconded by Member Young. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed.

## Correspondence and Communication

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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 Secretary Melançon 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 William Jesmore** – proposal is to subdivide an existing 159.28-acre parcel into 4 lots: Lot 1 = 2.19 acres, Lot 2 = 5.43 acres, Lot 3 = 6.09 acres, and the remaining Lot 4 = 145.57 acres, located at 26569 Keyser Road, tax parcel #54.00-3-7.5.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat Map for William Jesmore. Mr. Gracey was in attendance as the representative and gave a brief presentation. Chairperson Biondolillo asked the Board if they had any comments or questions on the project. The Board had none.

Chairperson Biondolillo opened the Public Hearing at 6:33 PM and Secretary Melançon read the Public Hearing Notice as published in the Watertown Daily Times on October 24, 2024. Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Oatman and seconded by Member Jefferds to close the Public Hearing at 6:34 PM. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. The Board determined that the Preliminary Subdivision Plat Map met all the requirements with no additional changes; therefore, a motion was made by Member Young and seconded by Member Oatman to approve the Preliminary Subdivision application. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. A motion was made by Member Collette and seconded by Member Young to review the Final Subdivision Plat Map. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. Since there were no changes needed on the Final Plat Map, a motion was made by Member Oatman and seconded by Member Jefferds to grant Final Subdivision Approval. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
Member Collette:        Yes  No  Abstain  Recuse  Absent  
Member Moran:            Yes  No  Abstain  Recuse  Absent  
Member Young:            Yes  No  Abstain  Recuse  Absent  
Member Jefferds:        Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo informed Mr. Gracey that he would receive a letter in the mail outlining the Boards decision.

**Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Michael Lundy** – proposal is to subdivide an existing 88.73-acre parcel into 2 lots: Lot 2A = 14.73 acres, and the remaining Lot 2B = 74 acres, located along Anabel Avenue, tax parcel #65.00-1-54.3.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat Map for Michael Lundy. She noted that the applicant had submitted two maps: one being the Preliminary Plat Map and one being the Assemblage Map, with the latter provided for review purposes only and not intended for a vote.

Mr. Lundy was in attendance as the representative and provided a brief presentation. The proposal was to subdivide 14.73 acres from property owned by Philip Simao, which would then be combined by deed with Mr. Lundy's property, tax parcel #64.20-1-43. Chairperson Biondolillo asked the Board if they had any comments or questions on the project. The Board had none.

Chairperson Biondolillo opened the Public Hearing at 6:38 PM and Secretary Melançon read the Public Hearing Notice as published in the Watertown Daily Times on October 24, 2024. Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Young and seconded by Member Collette to close the Public Hearing at 6:39 PM. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
Member Collette:        Yes  No  Abstain  Recuse  Absent  
Member Moran:            Yes  No  Abstain  Recuse  Absent  
Member Young:            Yes  No  Abstain  Recuse  Absent  
Member Jefferds:        Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. The Board determined that the Preliminary Subdivision Plat Map met all the requirements with no additional changes; therefore, a motion was made by Member Oatman and seconded by Member Jefferds to approve the Preliminary Subdivision application. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
Member Collette:        Yes  No  Abstain  Recuse  Absent

Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. A motion was made by Member Young and seconded by Member Collette to review the Final Subdivision Plat Map. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
 Member Collette:  Yes  No  Abstain  Recuse  Absent  
 Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Since there were no changes needed on the Final Plat Map, a motion was made by Member Oatman and seconded by Member Jefferds to grant Final Subdivision Approval. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
 Member Collette:  Yes  No  Abstain  Recuse  Absent  
 Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo reminded Mr. Lundy that the Board would require confirmation from Jefferson County that the assemblage of the parcels for both the 2-Lot Subdivision and the proposed Lot Line Adjustment were finalized before the Board could proceed with the Public Hearing for his proposed 4-Lot Subdivision application. She then informed Mr. Lundy that he would receive a letter in the mail outlining the Boards decision.

**Public Hearing @ 6:30 PM for a Site Plan Application for the Calcium Fire Department** – proposal is to construct a 13,650 SF Fire Department building and associated site improvements including asphalt perimeter access drive and parking areas, concrete walks, grading, site lighting and landscaping, located at 24882 Stalder Road, tax parcel #74.12-1-19.

Chairperson Biondolillo asked the Board to review the Preliminary Site Plan for the Calcium Fire Department. Mr. Morgia was in attendance as the representative and gave a brief presentation.

Mr. Morgia informed the Board that they had received a response from the New York State Department of Transportation (NYS DOT) advising against the proposed southern connection to US Route 11. Instead, the NYS DOT recommended updating and re-aligning the Stalder Road connection, which was located within the NYS DOT right-of-way (ROW).

Mr. Morgia reviewed the utility and stormwater management plans, noting that an infiltration basin was depicted on the Site Plan, with runoff draining from North to South across the property. An oil-water separator was planned for the rear of the building to capture runoff from the floor drains in the truck

bays. The building would feature four truck bays on one side and two bays at the back, allowing larger trucks to pass through.

An existing gas line ran across US Route 11, and water and sewer connections were available from Stalder Road. Additionally, a 300-gallon diesel fuel tank with dual containment, set in a concrete containment dike, would be relocated from the current facility in Calcium to the new site.

Mr. Morgia said there were comments regarding the Town's Site-A wellhead, noting that a 200-foot radius from the wellhead was depicted on the plans, which slightly clipped the back corner of the property. Chairperson Biondolillo stated that since the October meeting, new information had emerged regarding environmental concerns involving the Town's A-Site wellhead. During the Work Session meeting, the Board discussed keeping the Public Hearing open and re-opening the State Environmental Quality Review (SEQR). Involvement from other agencies would be necessary to ensure that all aspects were thoroughly addressed. The Public Hearing would remain open until a Determination of Significance was issued and SEQR was finalized. Chairperson Biondolillo asked the Board if they had any comments or questions on the project. The Board had none.

Chairperson Biondolillo opened the Public Hearing at 6:47 PM and Secretary Melançon read the Public Hearing Notice as published in the Watertown Daily Times on October 24, 2024. Chairperson Biondolillo asked if there were any comments from the audience.

Mr. Kilgore, an adjacent property owner, stated that he had purchased his property in 2017 for its secluded location. In anticipation of the proposed fire department, he had planted fifty (50) trees along his property line the year prior. He expressed concerns regarding the high volume of traffic, noting that he had previously been rear-ended at that location. He voiced support for the NYS DOT comments regarding the intersection and suggested installing a traffic light. Chairperson Biondolillo responded that there had been discussion regarding safety for both the residents as well as the first responders. As the plan progresses and there was communication from the NYS DOT, the Board would push for the maximum amount of safety measures possible.

A motion was made by Member Collette and seconded by Member Young to re-open SEQR due to new information related to environmental concerns regarding the Town's A-Site wellhead, and the County's advisory comments. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. Part 1 of the Long Environmental Assessment Form had been prepared for the Boards review. A motion was made by Member Oatman and seconded by Member Young to classify the action as a Type 1 action. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

Member Jefferds:             Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:     Yes  No  Abstain  Recuse  Absent

The Board reviewed the Jefferson County Planning Boards advisory comments as follows:

- The Board adopted a motion recommending disapproval. This motion is based on the concern with locating the fire station in such close proximity to a major source of potable water for the Town's population. The Board members discussed other wells in the Town and in the Village of Black River that have recently been shut down due to contaminants. The Board felt the fire station project presented a regional long-term risk to the Town of LeRay Water District #2 source of water.
- The Town Engineer should confirm the stormwater drainage areas are adequately sized, pursuant to Town Zoning Law, Article XX, Section 158-142. C. (paragraph 5). The Town should require these areas to be lined with clay or other impervious material. Snow storage areas should be located where the liner material can limit groundwater infiltration. The Town of LeRay's Wellhead Protection Law should be strictly followed for any potential use, storage, or handling of hazardous chemicals within this sensitive area.
- The area is zoned PDD, therefore, the local board should discuss with its Town attorney if an amendment to the PDD should be approved by the Town Board in addition to the site plan review.

In reviewing the Site Plan, the Town Engineer, Mr. Altieri, provided comments (Attachment A). Mr. Altieri stated that the A-Site well was the Town's most prolific and reliable source of potable water, serving the entire consolidated water district. He had initially raised concerns regarding the potential environmental impacts of the project on October 7, 2024, and Mr. Morgia had provided a response to the comments. However, additional clarification was needed, particularly with regard to the SEQR process and SEAF Part 1. Mr. Altieri emphasized that the primary concern was understanding how the chemicals and fuels would be stored and handled on the site, given their proximity to the wellhead and recharge overlay area. Mr. Altieri asked for a detailed inventory of the chemicals, their nature, how they would be stored, and how spills would be managed.

Mr. Newman clarified that the fire department stored household cleaning products, approximately 10 gallons of gasoline for small engines, and non-fluorinated foam for firefighting. No additional foam would be stored onsite due to cost, and the foam was only used during firefighting operations and not for training purposes. The foam was stored in containment tanks on two (2) fire trucks inside the garage, which was protected by an oil-water separator. Mr. Altieri stressed the importance of determining whether any of the materials could pose a risk to the water supply in the event of an accidental spill. He noted that the firefighting foam, while used in emergencies, must still be considered carefully in terms of potential contamination.

Mr. Altieri requested information for the 300-gallon diesel fuel tank that would be located on site, specifically regarding its secondary containment and how it would be handled in the event of a spill. Mr. Newman confirmed that the dual-containment fuel tank was set in a concrete containment dike, similar to the one used at their existing facility in Calcium, where they had never experienced any containment issues. Mr. Altieri reiterated that the Town's primary concern was not intentional misuse but rather the possibility of accidental spills given the sensitive location near the wellhead and recharge overlay area.

Mr. Altieri explained that infiltration basins, which allow water to soak into the ground, are prohibited in recharge areas under the Town's Wellhead Protection Law. Since the site involved fuel storage and the handling of chemicals, it might also qualify as a 'stormwater hotspot' under NYS DEC guidelines, which

would impose additional restrictions on using infiltration methods to manage stormwater. Therefore, the proposed infiltration basins may need to be reconsidered, and other stormwater management approaches may be necessary to comply with both NYS DEC guidelines and the Town's wellhead protection standards. He further added that the current Stormwater Pollution Prevention Plan (SWPPP) may not meet all these requirements and might need to be revised accordingly. Mr. Altieri suggested that the NYS DEC should review the SWPPP directly to ensure it aligns with the necessary stormwater management guidelines.

Mr. Morgia suggested meeting at a later date to thoroughly review the SEQR, allowing additional time to address the unresolved concerns. Mr. Altieri proposed tabling the SEQR Part 1 review until all required information had been gathered and reviewed, with the possibly of scheduling a Work Session meeting for further discussions. Chairperson Biondolillo agreed, stating that the Board would make themselves available for as many meetings as necessary to resolve the outstanding issues and ensure that all concerns were adequately addressed.

Chairperson Biondolillo read the draft resolution Mr. Burrows had provided for the Boards consideration (Attachment B). A motion was made by Member Collette and seconded by Member Jefferds to adopt the resolution as drafted, which classified the proposed action as a SEQR Type 1 Action, designated the Town of LeRay Planning Board as the Lead Agency for a coordinated review, and authorized seeking consent from all other involved agencies, contingent upon the applicant entering into a Developer Agreement with the Town Board and depositing funds to reimburse the Planning Board for appropriate engineering and legal review fees. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. The Board determined that the Preliminary Site Plan met all the checklist requirements. Chairperson Biondolillo informed Mr. Morgia that the project would be on the agenda for the December 5, 2024, regularly scheduled meeting and that he would receive a letter in the mail outlining the details for the upcoming meeting.

**Sketch Review for a 3-Lot Minor Subdivision Application for Tamra Delaney – proposal is to subdivide an existing 19.9-acre parcel into 3 lots: Lot 1 = 7.0 acres, Lot 2 = 7.0 acres, and the remaining Lot 3 = 5.9 acres, located along Elm Ridge Road, tax parcel #45.00-3-31.31.**

Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat Map for Tamra Delaney. Mr. Gracey was in attendance as the representative and gave a brief presentation. Chairperson Biondolillo asked the Board if they had any comments or questions. The Board had none.

The Board determined that the Plat Map met all the requirements for preliminary review. A motion was made by Member Collette and seconded by Member Jefferds to deem the Preliminary Subdivision application as complete. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

Member Moran:  Yes  No  Abstain  Recuse  Absent  
Member Young:  Yes  No  Abstain  Recuse  Absent  
Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo had prepared Part 2 of the Short Environmental Assessment Form for the Boards review. A motion was made by Member Young and seconded by Member Oatman to act as Lead Agency to conduct the environmental review for the Unlisted Action. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Moran:  Yes  No  Abstain  Recuse  Absent  
Member Young:  Yes  No  Abstain  Recuse  Absent  
Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  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 Young and seconded by Member Oatman. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Moran:  Yes  No  Abstain  Recuse  Absent  
Member Young:  Yes  No  Abstain  Recuse  Absent  
Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. A motion to set a Public Hearing for the December 5, 2024, meeting at 6:30 PM was made by Member Oatman and seconded by Member Jefferds. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Moran:  Yes  No  Abstain  Recuse  Absent  
Member Young:  Yes  No  Abstain  Recuse  Absent  
Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo informed Mr. Gracey that he would receive a letter in the mail outlining the upcoming Public Hearing details.

**Review of a Lot Line Adjustment Application for Michael Lundy** – proposal is to transfer 0.41 acres from tax parcel #65.17-1-23.23 (sender) to tax parcel #64.20-1-43 (receiver), located along US Route 11.

Chairperson Biondolillo asked the Board to review the Plat Map for Mr. Lundy, who was in attendance as the representative and gave a brief presentation. Mr. Lundy explained that Aldi, Inc. would convey 0.41



acres (Parcel C) of their property to him, to be combined with his newly created 40.43-acre lot (Parcel B) from his approved 2-Lot Subdivision, resulting in a 40.84-acre parcel.

Before Parcel C can be combined with Parcel B, the Board would require confirmation from Aldi, Inc. authorizing the transfer of ownership, as Mr. Lundy did not yet own the land. Once authorization was received, Mr. Lundy would then be able to file his signed map and new deed description for the Lot Line Adjustment with Jefferson County. The Board would require confirmation from the County that the transfer of ownership and combination of Parcel C and Parcel B had been completed. Until these steps were finalized, the Board could not proceed with the Public Hearing of his proposed 4-Lot Subdivision.

Chairperson Biondolillo asked the Board if they had any comments or questions. The Board had none. The Board determined that the Plat Map met all the requirements for preliminary review. A motion was made by Member Jefferds and seconded by Member Young to deem the Lot Line Adjustment application as complete. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. A motion was made by Member Oatman and seconded by Member Young to grant approval for the transfer of 0.41 acres from tax parcel #65.17-1-23.23 (sender) to tax parcel #64.20-1-43 (receiver). The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. Chairperson Biondolillo informed Mr. Lundy that he would receive a letter in the mail outlining the Boards decision.

**Sketch Review for a 4-Lot Major Subdivision Application for Michael Lundy** – proposal is to subdivide an existing 40.87-acre parcel into 4 lots: Lot 1 = 3.13 acres, Lot 2 = 5.84 acres, Lot 3 = 5.92 acres, and the remaining Lot 4 = 25.97 acres. Additionally, the proposal includes the extension of Town utilities, located at 25991 US Route 11, tax parcel #64.20-1-43.

In accordance with section 135-23 A of the Town Code, a motion was made by Member Young and seconded by Member Jefferds to waive the requirement for a Major Subdivision as defined in section 135-2 of the Town Code, allowing the review of the project as a Minor Subdivision with the understanding that items deemed appropriate by the Town Engineer from the major subdivision application will be included on the Infrastructure plan for the assets that will be turned over to the Town. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
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Member Collette:            Yes  No  Abstain  Recuse  Absent  
 Member Moran:            Yes  No  Abstain  Recuse  Absent  
 Member Young:            Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:        Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat Map for Mr. Lundy, who was in attendance as the representative and gave a brief presentation. Mr. Lundy explained that a wetland was located in the southwest corner of the property, for which he was considering enrolling in the Ducks Unlimited conservation program. The wetland extended onto the adjacent property, and he hoped to collaborate with the neighboring property owner to address the entire wetland area as a unified project.

Chairperson Biondolillo asked the Board if they had any comments or questions. The Board had none. The Board determined that the Plat Map met all the requirements for preliminary review. A motion was made by Member Jefferds and seconded by Member Oatman to deem the Preliminary Subdivision application as complete. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
 Member Collette:        Yes  No  Abstain  Recuse  Absent  
 Member Moran:            Yes  No  Abstain  Recuse  Absent  
 Member Young:            Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:        Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo had prepared Part 2 of the Short Environmental Assessment Form 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 Oatman:            Yes  No  Abstain  Recuse  Absent  
 Member Collette:        Yes  No  Abstain  Recuse  Absent  
 Member Moran:            Yes  No  Abstain  Recuse  Absent  
 Member Young:            Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:        Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  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 Oatman and seconded by Member Jefferds. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
 Member Collette:        Yes  No  Abstain  Recuse  Absent  
 Member Moran:            Yes  No  Abstain  Recuse  Absent  
 Member Young:            Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:        Yes  No  Abstain  Recuse  Absent

Chairperson Biondolillo:     Yes  No  Abstain  Recuse  Absent

The motion passed. A motion was made by Member Young and seconded by Member Oatman to schedule a Public Hearing for the December 5, 2024 meeting at 6:30 PM, contingent upon receiving confirmation from Jefferson County that Lot 2 from Mr. Lundy’s 2-Lot Subdivision had been combined by deed with tax parcel #64.20-1-43, and that the Lot Line Adjustment had been officially filed. The vote went as follows:

Member Oatman:             Yes  No  Abstain  Recuse  Absent  
Member Collette:         Yes  No  Abstain  Recuse  Absent  
Member Moran:            Yes  No  Abstain  Recuse  Absent  
Member Young:            Yes  No  Abstain  Recuse  Absent  
Member Jefferds:         Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo reminded Mr. Lundy that the Board would require confirmation from Jefferson County that the assemblage of the parcels for both the 2-Lot Subdivision and the Lot Line Adjustment were finalized before the Board could proceed with the Public Hearing for his proposed 4-Lot Subdivision application. She then informed Mr. Lundy that he would receive a letter in the mail outlining the Boards decision.

**Sketch Review of a Site Plan Application for Jessie’s Pet Spa** – proposal is to construct a new 24’ x 75’ wood structure, concrete floor building for dog grooming, and three fenced dog runs in the rear of the existing building, located at 46247 NYS Route 283, tax parcel #74.16-2-5.

Chairperson Biondolillo asked the Board to review the Site Plan Application for Jessie’s Pet Spa. Mr. Weston was in attendance as the representative and gave a brief presentation. Mr. Weston stated that the facility would be used for dog grooming services and not for overnight boarding. A new buffer would be provided in two locations, as required between a residential and commercial building in a Mixed-Use (MU) district. There was an existing natural buffer between the rear of the building and the adjacent property owners. Chairperson Biondolillo requested that the screening details for the dumpster be added to the Site Plan. She then asked the Board if they had any further comments or questions. The Board had none.

The Board determined that the Site Plan met all the requirements for preliminary review. A motion was made by Member Collette and seconded by Member Jefferds to deem the Preliminary Subdivision application as complete. The vote went as follows:

Member Oatman:             Yes  No  Abstain  Recuse  Absent  
Member Collette:         Yes  No  Abstain  Recuse  Absent  
Member Moran:            Yes  No  Abstain  Recuse  Absent  
Member Young:            Yes  No  Abstain  Recuse  Absent  
Member Jefferds:         Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo 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 Collette to act as Lead Agency to conduct the environmental review for the Unlisted Action. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
 Member Collette:  Yes  No  Abstain  Recuse  Absent  
 Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  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 Oatman and seconded by Member Young. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
 Member Collette:  Yes  No  Abstain  Recuse  Absent  
 Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. A motion to send the project to the Jefferson County Planning Board for their review at their November 26, 2024, meeting was made by Member Oatman and seconded by Member Young. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
 Member Collette:  Yes  No  Abstain  Recuse  Absent  
 Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. A motion to set a Public Hearing for the December 5, 2024, meeting at 6:30 PM was made by Member Jefferds and seconded by Member Young. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
 Member Collette:  Yes  No  Abstain  Recuse  Absent  
 Member Moran:  Yes  No  Abstain  Recuse  Absent  
 Member Young:  Yes  No  Abstain  Recuse  Absent  
 Member Jefferds:  Yes  No  Abstain  Recuse  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo informed Mr. Weston that he would receive a letter in the mail outlining the upcoming Public Hearing details.

**Sketch Review of a Site Plan Application for JORANCO, LLC** – proposal is to change the use of the existing building from a stone quarry (mining operation) to a mixed-use commercial development. The existing pre-engineered steel building would become the primary business location for Pick N Go Property Waste Services, located at 26437 Keyser Road, tax parcel #54.00-3-5.3.

Chairperson Biondolillo asked the Board to review the Site Plan application for JORANCO, LLC. Mr. Comenole was in attendance as the representative and gave a brief presentation.

The proposal involved utilizing the site for daily business operations, which would include the storage of empty dumpsters and roll-off containers. Chairperson Biondolillo inquired if there was any proposed signage, and if so, he would require a Sign Permit from the Zoning Enforcement Officer. Mr. Comenole stated that no signage was currently planned. It was suggested that a road sign be installed to indicate a truck entrance/exit, helping to mitigate traffic concerns given the site's long vacancy. The sign would not need to list the business name, but simply inform drivers that trucks would be entering and exiting the location. Mr. Comenole agreed to the suggestion.

Chairperson Biondolillo asked if any security measures were planned for the site. Mr. Comenole responded that, in addition to the existing gate, they were considering installing electric fencing and a solar-powered camera system around the property.

In addition to their proposed office spaces, Mr. Comenole explained plans for a Phase 2 in the next two to three years, which would involve building a private transfer station to separate nonhazardous material for hauling. He also mentioned the possibility of eventually opening up the transfer station to the public. Chairperson Biondolillo expressed concerns about potential runoff and groundwater contamination related to the future transfer station. Mr. Comenole responded that the planned location for the transfer station was entirely on bedrock, which could help mitigate those concerns.

Chairperson Biondolillo noted that the project would require Reclamation Approval from the New York State Department of Environmental Conservation (NYS DEC). She asked if there were any additional requirements from the NYS DEC. Mr. Comenole stated that there would be a 500-gallon fuel tank on site and Mr. Shimel stated that a 275-gallon containment requirement might be necessary.

Chairperson Biondolillo asked the Board if they had any further comments or questions. The Board had none. The Board determined that the Site Plan met all the requirements for preliminary review. A motion was made by Member Oatman and seconded by Member Collette to deem the Preliminary Site Plan application as complete. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed. Chairperson Biondolillo had prepared Part 2 of the Short Environmental Assessment Form for the Boards review. A motion was made by Member Young and seconded by Member Oatman to act as Lead Agency to conduct the environmental review for the Unlisted Action. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

Member Jefferds:            Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:    Yes  No  Abstain  Recuse  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 Jefferds. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
Member Collette:          Yes  No  Abstain  Recuse  Absent  
Member Moran:            Yes  No  Abstain  Recuse  Absent  
Member Young:            Yes  No  Abstain  Recuse  Absent  
Member Jefferds:          Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:    Yes  No  Abstain  Recuse  Absent

The motion passed. A motion to set a Public Hearing for the December 5, 2024, meeting at 6:30 PM was made by Member Jefferds and seconded by Member Young. The vote went as follows:

Member Oatman:            Yes  No  Abstain  Recuse  Absent  
Member Collette:          Yes  No  Abstain  Recuse  Absent  
Member Moran:            Yes  No  Abstain  Recuse  Absent  
Member Young:            Yes  No  Abstain  Recuse  Absent  
Member Jefferds:          Yes  No  Abstain  Recuse  Absent  
Chairperson Biondolillo:    Yes  No  Abstain  Recuse  Absent

The motion passed. Chairperson Biondolillo informed Mr. Comenole that he would receive a letter in the mail outlining the upcoming Public Hearing details.

### **Report from the Zoning Enforcement Officer**

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Mr. Shimel reported that Valvoline Oil was considering developing the property adjacent to Taco Bell. He stated that Valvoline was aware that the Town Code did not permit overhead doors facing US Route 11.

The Wewer Holding’s project was scheduled for an initial court hearing on November 20, 2024, due to non-compliance with the Municipal Separate Storm Sewer System (MS4) requirements.

The DG LeRay Solar project, located off US Route 11, paid for their Zoning Permit; however, the permit would not be issued until the deed was provided as proof of ownership. Additionally, Mr. Gordon Woodcock had reached out to indicate readiness to begin development for the Pivot Solar project, located off Martin Road North. Mr. Shimel informed him that no work could commence until the Road Maintenance Agreement was finalized.

### **Report from the Planning Board Chairperson**

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Chairperson Biondolillo informed the Board that the Solar Moratorium was set to expire on February 14, 2025. Secretary Melançon stated that she would provide the Board with a copy of the draft legislation for Solar Battery Energy Storage, prepared by the Town Attorney, Mr. Burrows, for their review. The Board agreed to continue discussions at their next regularly scheduled meeting. Given the upcoming holiday

season, the Board discussed the potential need to recommend extending the solar moratorium for an additional six months to provide enough time for the Board to finalize their review and comments.

Chairperson Biondolillo announced that the next Comprehensive Planning Committee meeting was scheduled for November 18, 2024. Mr. Shimel informed the Board that, in light of the recent environmental concerns regarding the Calcium Fire Department's project, Mr. Andy Nevin, Senior Planner for the Jefferson County Planning Department, had recommended incorporating a discussion on wellhead protections into the Comprehensive Plan.

Mr. Toutant added that, in addition to discussing wellhead protections, the Comprehensive Planning Committee should consider the recharge overlay areas. He noted that the Valvoline Oil project, pending submission, could face similar issues as the Calcium Fire Department's project, since their proposed development fell within a recharge overlay area and involved the storage of oil. Mr. Toutant further highlighted that additional challenges could arise due to the new MS4 General Permit, issued by the New York State Department of Environmental Conservation (NYS DEC). The updated permit introduced several significant changes and additional requirements for MS4 operators, which may necessitate further studies conducted by the NYS DEC.

Mr. Toutant further reported that the Calcium Fire Department had provided comments regarding the Developer Agreement, requesting an exemption from both the Developer Agreement and the review fees. Chairperson Biondolillo read aloud the response letter from Mr. Carpenter, Town Supervisor, addressed to Mr. Newman on November 1, 2024, responding to these comments (Attachment C). Mr. Toutant reiterated that the Developer Agreement would need to be signed and finalized before any additional meetings or further review of the project could proceed.

## Adjournment

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A motion was made by Member Young and seconded by Member Collette to adjourn the meeting at 7:57 PM. The vote went as follows:

Member Oatman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Moran:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed.

Respectfully submitted,

*Morgan R. Melançon*

Morgan R. Melançon,  
Secretary to Planning and Zoning  
December 5, 2024

# Town of LeRay

## PLANNING BOARD MEMO

8650 LeRay St  
Evans Mills, NY 13637-3191

(315) 629-4052

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[www.townofleray.org](http://www.townofleray.org)



### ENGINEERING COMMENTS

November 5, 2024

#### SEQR Comments:

##### Long Form EAF Part One –

1. The project description should include the proposed oil and water separator, fuel storage and the chemicals proposed to be stored and handled onsite. A description of the stormwater management practices proposed should be included.
2. It is recommended that NYS DOH and NYS DEC be included as involved agencies for the coordinated review given the matter of this project's proximity to A-Site.
3. Page 4, D. 1. h. – Please clarify in this section that no stormwater management practices proposed will utilize infiltration as a means of mitigating run-off.
4. Page 4, D.2., a. – Please clarify as to how all excavated materials will remain onsite, no excavated spoil material will be removed from the site?
5. Page 5, D.2., c. – The name of the district served should be revised to the Town's Consolidated Water District. Within this section we should reference the proximity of this project to the Town's A-Site well and the project's location in the aquifer protection zone.
6. Page 6, D.2., e. – Please revise this section based on stormwater management comments provided in the next section.
7. Page 6, D.2., f – This section references fleet vehicles, please clarify as to whether mobile or stationary sources of air emissions will be in operation onsite. Note, fire truck emissions have been identified on Page 8, D.2., o.
8. Page 8, D.2., p. – Please provide documentation regarding the bulk storage of petroleum or chemicals proposed onsite for further consideration of this question.
9. Page 11, E.2., l1. – A-Site should be included in this description.

##### Long Form EAF Part Two –

On page 3, for section 4. Impacts on Groundwater I am suggesting that the Town consider questions 4.a. and 4.f. as Moderate to Large impacts given the project's proximity to the A-Site Wellhead.

#### SWPPP Comments:

1. According to Table 4.3 in the DEC Stormwater Management Design Manual, any activity or site that includes a "Fueling Station" and/or "Facilities that generate or store hazardous materials" are classified as Level 2 Hotspots. Within a Level 2 Hotspot area, Infiltration is Prohibited. Considering the 300-gallon diesel fuel tank and other chemicals proposed to be stored onsite it may be advisable to review this facility in the guise of a Level 2 Hotspot. Additional information needs to be provided detailing the nature of the fuel and chemical storage and handling activities onsite.
2. The recharge practices, such as infiltration basins and trenches, proposed will not be allowed in accordance with the Town's wellhead protection Rules and Regulations and if this facility is determined to fit the description of a Level 2 Hotspot as outlined in SWPPP comment number 1. Alternative practices must be designed to meet the NYS DEC Stormwater Management Guidelines.



3. Given the facility may meet the requirements of a Level 2 Hotspot and the issues identified with the project's location in proximity to the A-Site Wellhead and Aquifer Protection Zone it is recommended that this SWPPP review undergo a direct review with NYS DEC prior to the Town signing off as MS4 agent.
4. Please provide an explanation for the HSG Discrepancies noted in the SWPPP as follows:  
SWPPP Page 310: HSG A = 67% HSG C = 33%  
SWPPP Page 19: From Web Soil Survey: HSG A = 51.6% HSG C/D = 48.4%

The web soil survey area of interest does not appear to encompass the drainage area or the perimeter of the tax parcel. Please clarify as to whether this information should be revised.

5. Consideration should be given to concentrated flow discharging from the stormwater management practices onsite and their effect on downstream drainages and properties. Drainage current appears to leave the site primarily by sheet flow. Practices such as level spreaders should be considered to mitigate the downstream impacts of this concentrated flow.

**General Comments:**

1. Please keep the Town copied on the status of the permit with NYS DOT.
2. Please provide additional information regarding the proposed water and sewer flows as outlined in the SEQR. Do these flows include wash-water discharge from truck maintenance activities? Given the size of the services proposed those flow figures appear to be low.

# Town of LeRay

PLANNING BOARD

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## RESOLUTION #01 of 2024 NOTICE OF INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Planning Board for the Town of LeRay is performing a Site Plan Review related to the Calcium Fire Department construction a 13,650 sf Fire Department building located at 24882 Stalder Road Calcium, NY (Tax Parcel# 74.12-0-19); and

WHEREAS, review efforts of the Town of LeRay Planning Board and the pending Application is subject to compliance with the provisions of the State Environmental Quality Review Act and regulations promulgated thereunder at 6 NYCRR 617.1 ("SEQR"); and

WHEREAS, the proposed action is classified as a SEQR Type 1 Action at 6 NYCRR 317.4(b)(6)(i), and

WHEREAS, all potential involved agencies have been identified in the Long Form EAF Part 1; and;

WHEREAS, at a regular meeting of this Planning Board held on November 7, 2024, the Planning Board recommended that a SEQR Type 1 Action - Coordinated review be conducted with the Town of LeRay Planning Board designated as Lead Agency and seek consent from all other involved Agencies.


NOW, THEREFORE IT IS resolved that the Town Planning Board shall seek consent from all identified Involved Agencies to serve as Lead Agent for a coordinated review under SEQR for the project.

This determination is contingent upon the Applicant entering into a Development Agreement with the Town Board and depositing money to reimburse the Planning Board for appropriate engineering/legal review fees.

The foregoing Resolution was offered by Board Member Patrick Collette and seconded by Board Member Brian Jefferds, and upon roll call vote of the Board was duly adopted as follows:

- Yes  No
- Yes  No
- Yes  No
- Yes  No
- Yes  No

Dated: November 7, 2024

  
Morgan Melancon, Secretary  
Town Planning Board



**TOWN OF LERAY**

**MUNICIPAL OFFICES**

8650 LeRay St

Evans Mills, NY 13637-3191

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---

November 1, 2024

**Response to Calcium Fire District Comments**

Dear Mr. Newman,

Thank you for your recent comments regarding the Developer Agreement and the associated review fees. We value the services provided by the Calcium Fire District to the Town of LeRay and appreciate your input.

We understand your concern about the fees being excessive for this project, particularly given its nature and size. However, it's important to note that these fees are structured to ensure comprehensive reviews that ultimately protect all taxpayers, including those outside the Calcium Fire District boundary. The costs associated with the review process are necessary to maintain the integrity and safety of the development, ensuring compliance with municipal regulations.

Additionally, we want to assure you that any unused balance of the escrow deposit will be refunded to the Developer within sixty (60) days of the completion of all municipal tasks outlined in Articles I and II of the Developer Agreement.

We appreciate your understanding and cooperation as we work to balance the needs of the community with the financial responsibilities incurred during the review process. We are open to further discussions to ensure that we reach a mutually agreeable solution.

Thank you for your ongoing collaboration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leland Carpenter', is written over the word 'Sincerely,'.

Leland Carpenter  
Supervisor