

# Town of LeRay

## Planning Board - Minutes

October 3, 2024

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### Call to Order

On October 3, 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.

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### Open Regular Meeting

In attendance: Deborah Biondolillo – Chairperson, Clarke Oatman – Member, Patrick Collette – Member, Thomas Moran – Member, Kerry Young – Member, Lee Shimel – Zoning Enforcement Officer, Morgan Melançon – Secretary to Planning and Zoning, Leland Carpenter – Town Supervisor, and Nathan Toutant – Clerk to the Supervisor. Additionally, Matthew Morgia, Timothy Newman, David Hartle, Stephen Gracey, and Michael Lundy were in attendance. Member Brian Jefferds was absent.

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### Acceptance of Minutes

The minutes from the regular meeting on September 5, 2024, were reviewed by the Board members. Member Young provided edits and a motion to accept the minutes as amended was made by Member Moran 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> Absent

The motion passed.

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### 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 Secretary Melançon 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 Darryl Murrock** – proposal is to subdivide an existing 33.66-acre parcel into 2 lots: Lot 1 = 3.07 acres, and the remaining Lot 2 = 30.59 acres, located at 25904 NYS Route 283, tax parcel #75.00-1-49.4.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat Map for Darryl Murrock. 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 6:34 PM and Secretary Melançon read the Public Hearing Notice as published in the Watertown Daily Times on September 26, 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 Oatman to close the Public Hearing at 6:35 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 Young and seconded by Member Moran to approve the Preliminary 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. A motion was made by Member Oatman and seconded by Member Moran 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 Moran and seconded by Member Oatman 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 Tamra Delaney** – proposal is to subdivide an existing 8.57-acre parcel into 3 lots: Lot A = 3.19 acres, Lot B = 3.39 acres, and the remaining Lot C = 1.99 acres, located at 31233 Elm Ridge Road, tax parcel #45.00-3-31.32.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat Map for Tamra Delaney. Mr. Gracey was in attendance as the representative and gave a brief presentation. Chairperson Biondolillo stated that the ruins from the barn were straddling the lot line and inquired if there was a foundation. Mr. Gracey said he would look into the matter. Chairperson Biondolillo asked the Board if they had any further comments or questions on the project. The Board had none.

Chairperson Biondolillo opened the Public Hearing at 6:39 PM and Secretary Melançon read the Public Hearing Notice as published in the Watertown Daily Times on September 26, 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 Collette to close the Public Hearing at 6:40 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 Moran and seconded by Member Young to approve the Preliminary 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. 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:            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 Young and seconded by Member Moran 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.

**Sketch Review 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 Sketch 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.

The Board determined that the Plat Map met all the requirements for preliminary review. A motion was made by Member Moran and seconded by Member Collette 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 Oatman 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 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 Moran. 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 November 7, 2024, meeting at 6:30 PM was made by Member Oatman and seconded by Member Collette. 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.

**Sketch Review 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 Sketch Subdivision Plat Map for Michael Lundy, who was in attendance as the representative and gave a brief presentation. The proposal involved subdividing 14.73 acres from tax parcel #65.00-1-54.3, shown as Lot 2A on the Plat Map, which would then be assembled by deed with Mr. Lundy’s adjacent parcel, tax parcel #64.20-1-43, following subdivision approval.

Mr. Lundy noted that the proposed subdivision was the first step in a series of planned actions, which would involve additional subdivisions and a site plan review process over the coming months. 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 Moran and seconded by Member Young 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 Oatman and seconded by Member Moran 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 Moran. 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 November 7, 2024, meeting at 6:30 PM 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. Chairperson Biondolillo informed Mr. Lundy that he would receive a letter in the mail outlining the upcoming Public Hearing details.

**Sketch Review 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 Site Plan Application for the Calcium Fire Department. She informed the Board that the Fire Department was concurrently seeking an Area Variance from the Zoning Board of Appeals (ZBA), which met the previous night.

Mr. Morgia was in attendance as the representative and gave a brief presentation. The Calcium Fire Department was proposing to construct a new building along US Route 11, to which they would relocate their operations. In reviewing the Site Plans, Mr. Morgia said there was an existing barn on the property that was accessible from Stalder Road, and the adjacent property was a residential home with driveway access off US Route 11. Mr. Newman, the Fire Chief, said the Fire Department handled approximately 400 runs annually, covering a 4.5 square mile area in the Town of LeRay, utilizing two trucks. He noted that the last significant renovation occurred in 1992, and since then, the facility has been lacking newer safety features.

Mr. Morgia discussed the proposed access to US Route 11. The Site Plans depicted the light grey areas as the proposed parking and drive lanes, with a new drive lane connected to US Route 11 on the south side. There had been discussions over the past two years regarding modifications to the intersection at Stalder Road and US Route 11, and the consideration of abandoning Stalder Road to potentially enhance said connections. The Town Board voted against the abandonment of Stalder Road. Therefore, the project would require modifications to the existing road to accommodate the fire truck turning radius and there were additional grading and stormwater challenges at the intersection. These intersection improvements were within the New York State Department of Transportation (NYS DOT) right-of-way (ROW) and would need approval from the NYS DOT. Mr. Morgia then discussed the circulation patterns, stating that the intersection layout and the site's incline influenced the traffic flow design. The fire trucks would ideally use the northern driveway to exit northbound, and the southern driveway to exit southbound along US Route 11. There were existing water and sewer lines along Stalder Road, and a gas connection was planned with an existing line across the road. The Board discussed the location for snow storage, as it was not clearly depicted on the Site Plan.

Chairperson Biondolillo said she had received comments from the Town Engineer, Mike Altieri, prior to the meeting. A copy of the email had been given to Mr. Newman. Mr. Altieri had the following questions/comments:

- Firefighting chemicals should not be used, stored, or handled in any way at this site. This will probably not be a popular request, but the department should exhaust other arrangements for these chemicals. Many of these chemicals contain PFA's, if those are accidentally released into the well area of A-Site the Town will be required to provide a high level of filtration on a permanent basis.
- Firefighting training activities should be reviewed with the Town for this site. Training with vehicles, mock buildings and other exercises that could entail the accidental spill of fuels/chemicals should be restricted.
- Snow removal chemicals should also be restricted, a straight sand mix where needed should be used here just to reduce the accidental risk of contamination to the well site with chlorides and other snow removal chemicals.
- The Town should be made aware of any fuel storage or other chemical storage related to vehicle maintenance being stored and handled onsite.
- We could consider requesting a spill response plan with the number of vehicles onsite, each truck presents the risk of a spill.

- NYS DOH should be included as an involved agency given the proximity of this facility to the Town's wellhead.

Mr. Morgia said during initial conversations with Mr. Altieri's office, they had only provided the requirement of a 200-foot radius around the site. He stated that most of the well-head protection regulations were covered in the 200-foot radius.

Mr. Carpenter inquired if there had been any progress with NYS DOT. Mr. Morgia said the documents had been submitted, but they were still awaiting review. Mr. Carpenter noted the NYS DOT's lengthy review times, which could potentially delay the project.

Chairperson Biondolillo said the Developer Agreement had been sent to Aubertine and Currier. Once reviewed and concurred, the Town Board could adopt a resolution at their next meeting, and Mr. Altieri could start the Stormwater Pollution Prevention Plan (SWPPP) review.

Chairperson Biondolillo asked the Board if they had any further comments or questions. The Board had none. The Board determined that the Preliminary Site Plan met all the requirements for preliminary review. A motion was made by Member Collette and seconded by Member Oatman 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" 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 Moran 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" 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. 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 Moran. 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input type="checkbox"/> 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 send the project to the County Planning Board for their review at their October 29, 2024, meeting. 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 Moran to set a Public Hearing for the November 7, 2024, meeting at 6:30 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. Chairperson Biondolillo informed Mr. Morgia that he would need to provide three (3) copies of the revised Site Plans no later than October 25, 2024, at noon. Additionally, she informed him that he would receive a letter in the mail outlining the upcoming Public Hearing details.

**Review of a Site Plan Modification Application for Valley Veterinary Clinic** – proposal is to build an addition onto the existing building, located at 26436 NYS Route 283, tax parcel #74.16-1-6.21.

Chairperson Biondolillo asked the Board to review the Site Plan Modification for the Valley Veterinary Clinic. Mr. Putman was in attendance as the representative and gave a brief presentation. He explained that the proposed 30-foot by 60-foot addition was intended to create additional workspace for the clinic, including a new surgery wing. He emphasized that no animals would be housed at the facility, and the kennels would solely be used to hold pets before and after surgery for recovery.

A motion to send a letter to the Town Board requesting the return of the 239-m fee of \$50.00 back to the applicant, Mr. Putman, was made by Member Oatman and seconded by Member Moran. 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 Site Plan Modification application met all the requirements for preliminary review. A motion was made by Member Collette and seconded by Member Young to deem the Site Plan Modification 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. Both the environmental review and the Negative Declaration had been previously issued. Chairperson Biondolillo stated that under section 158-145 of the Town Code, the Planning Board could waive certain application or procedural requirements in consideration of the objectives in the section. The Board must determine whether the modification would result in potential significant impacts upon the following:

- a. traffic generation  Yes  No
- b. water consumption  Yes  No
- c. adversely affect pedestrian and traffic circulation  Yes  No
- d. eliminate or adversely affect parking  Yes  No
- e. necessitate the review of exterior facades  Yes  No
- f. other potential adverse effects to public health, safety, or welfare  Yes  No
- g. would otherwise meet existing requirements and standards as contained in the Zoning Code  Yes  No

Chairperson Biondolillo stated that the modification would not have significant impacts. A motion to waive the Site Plan review requirements for a Public Hearing and submittal for a 239-m review by the County was made by Member Moran 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 grant final approval for the Modified Site Plan 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. Chairperson Biondolillo informed Mr. Putman that he would receive a letter in the mail outlining the Boards decision.  
 Chairperson Biondolillo said

**Scott Dalton 2-Lot Subdivision Update**, located at 29015 Simonet Road, tax parcel #55.00-1-34.1.

Chairperson Biondolillo stated that, moving forward with any future subdivision proposals, the Board should carefully consider the potential undue hardship to the applicant. She emphasized that the Board has the authority to waive certain requirements when necessary. After consulting with Mr. Shimel and Secretary Melançon, they unanimously agreed that the request for a Revised Plat Map in this case presented an undue hardship for the applicant. The Board concurred with their recommendation.

Additionally, Chairperson Biondolillo noted that any future requests made regarding the removal of a structure, it should explicitly specify the removal of the foundation as well.

A motion was made by Member Young and seconded by Member Moran to rescind the requirement for a revised Final Plat Map for the Scott Dalton Subdivision that received conditional approval on September 5, 2024, which stipulated that the milk house be demolished within 90 days from September 5, 2024. A letter from Mr. Shimel would be included in the file stating that the milkhouse was removed. 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.

**Review Adam Kokinda Request for Zone Change**, located along US Route 11, concerning tax parcel numbers 55.00-1-20.7, 55.00-1-20.6, and 55.00-1-20.5.

The Planning Board discussed the request by Adam KoKinda for a zone change. The Town Board had previously reviewed Mr. KoKinda's submission and referred the matter back to the Planning Board. The Planning Board was tasked with reviewing the request, determining the appropriateness of the zone change, and forwarding their recommendation back to the Town Board.

Chairperson Biondolillo expressed concerns regarding the proposed zone change. The request was seen as potential spot zoning, targeting only three parcels for a zone change primarily to facilitate solar projects, despite the ongoing solar moratorium. The Chairperson recommended denial of the zone change at this time, and the Board concurred. The Comprehensive Planning Committee would be informed of the

request to consider it within the broader context of the Town’s long-term planning and development goals.

A motion was made by Member Young and seconded by Member Moran to send a letter to the Town Board with the Planning Boards recommendation that the Zone Change application submitted by Adam Kokinda on February 23, 2024, be denied on the grounds of spot zoning. 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" 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.

**Final Decision 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 recapped the status of the subdivision application for Justin Davis. At the August 1, 2024, meeting, the public hearing was closed but a final decision on Mr. Davis's application was deferred, pending documentation requested in a letter sent to him on August 5th. The Board had received several concerns from neighbors regarding potential flooding issues, and it was agreed that further information was necessary before making a final decision. Mr. Davis was given until August 23rd to respond, but the Board did not receive any communication from him.

Chairperson Biondolillo stated that Section 135-6 C of the Town Code required the Planning Board to take action within 62 days of the public hearing, to approve, modify, or disapprove the preliminary plat, unless an extension had been agreed upon by both the Board and the applicant. Given the lack of response from Mr. Davis, the Board would proceed with denying the application.

A motion was made by Member Moran and seconded by Member Collette to deny the Subdivision application for Justin Davis for the reasons stated above. 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" 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 stated that Mr. Davis would receive a letter in the mail outlining the Board decision.

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

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Mr. Shimel reported that a vacant storefront in the Bobby Ferris Plaza had undergone a change of tenant and was now occupied by Evans Mills Convenience and Deli.

Mr. Woodcock, a representative from Pivot Energy, had contacted Mr. Shimel regarding their approved solar project along Martin Road North. The project had received a Site Plan approval extension at the July 11, 2024, meeting, set to expire on July 17, 2025. Mr. Woodcock said they were still experiencing issues with National Grid regarding the interconnection, and there was no timeline for resolution. Mr. Shimel informed the Board that Mr. Woodcock had requested permission to start clearing trees on the site. Chairperson Biondolillo noted that the Site Plan had not yet been signed and emphasized that with the pending issues involving National Grid, the United States Army Corps of Engineers (USACE), and the Road Maintenance Agreement, she felt it would be premature to proceed with tree cutting. Mr. Shimel concurred, stating that given the unresolved situation with National Grid, it was uncertain whether there would be changes to the interconnect layout. The Board unanimously agreed.

Mr. Shimel reported on the FEMA floodplain meeting he had attended on Monday. The meeting was hosted by the Town of LeRay for Jefferson County.

A property along Keyser Road, formerly owned by Greystone Quarry, was for sale. Mr. Shimel reported that Pick N Go Property Waste Services had expressed interest in using the site for equipment storage, maintenance, and as a private transfer station. They were in the process of preparing a Site Plan for submission to the Board. Chairperson Biondolillo inquired whether the abstract from the original Site Plan approval for Greystone Quarry had been reviewed, recalling a statement from Fred Tontarski that the site could never be used for anything other than a quarry. Mr. Shimel said he was not aware of the restriction. The matter would be investigated further. Member Moran raised safety concerns about the site, recalling it had a drop-off ledge used for accessing water with fire trucks in the past.

Mr. Shimel reported that, after issuing a Remedy of Violation letter to Fort Drum Drives, they had come into compliance with the requirement of displaying only five (5) vehicles along US Route 11.

Next, Mr. Shimel updated the Board on the Wewer Holdings Project located at the corner of Waddingham Road and US Route 11. A Remedy of Violation letter had been sent, giving them until April 10, 2025, to comply with their Stormwater Pollution Prevention Plan (SWPPP). If compliance was not achieved by the deadline, the Town had the legal authority to correct the deficiencies with costs billed back to the property owners. The construction trailer and fuel tank had been removed, but there were still unresolved issues regarding siltation and the compromised settling basins.

Lastly, Mr. Shimel reported on unsafe buildings in the Town. Nine (9) properties had been targeted for compliance. Three (3) property owners volunteered to address the issues ahead of time, and five (5) presented plans to comply, which they had subsequently met. One property owner had not responded. They had been given seven (7) days to begin and thirty (30) days to complete the required actions, which had not been done. As a result, the Town was now able to seek bids to clean up the property, with costs charged back to the property owner.

## Report from the Planning Board Chairperson

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Chairperson Biondolillo inquired about the status of a potential Site Plan submission for Jessie's Pet Spa. Mr. Shimel said their original proposal included several dog runs, which would have classified the use as a "kennel"—a classification not permitted in a Mixed-Use (MU) District. The owner, Ms. Kathleen Elmer, agreed to modify the proposal to include only three (3) dog runs, which fell within the allowable limit. Mr. Shimel had informed Ms. Elmer to ensure that the application explicitly stated that there would be no overnight boarding of dogs. The project would need to be submitted to the county for 239-m review, and they were in the process of updating their Site Plan for submittal.

Chairperson Biondolillo provided an update on the DG LeRay Solar Project along US Route 11. She had discussed the project's approval extension with Mr. Burrows, the Town Attorney, during the last Town Board meeting. Mr. Burrows clarified that the extension period restarted when the Site Plan Modification was approved in April. After the current Site Plan approval extension expired, no further extensions would be granted, as the limit of two extension had already been reached, per section 158-146 B(3) of the Town Code.

## Adjournment

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A motion was made by Member Young and seconded by Member Moran to adjourn the meeting at 7:48 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Recuse	<input checked="" 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.