

# Town of LeRay

## Planning Board – Work Session

November 7, 2024

### Call to Order

On November 7, 2024, the LeRay Planning Board held their regular monthly Work Session meeting in the Conference Room of the Town of LeRay Municipal Building. The meeting was called to order at 6:00 PM by Chairperson Biondolillo.

### Roll Call

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, and Lisa Meeks were in attendance. Member Thomas Moran was absent.

### Acceptance of Work Session Minutes

The minutes from the work session meeting on October 3, 2024, were reviewed by the Board members. A motion to accept the work session minutes as drafted was made by Member Young and seconded by Member Jefferds. 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.

**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.

The Board reviewed the Plat Map and Chairperson Biondolillo stated that the proposed subdivision was straightforward. The Board had no questions.

**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 stated that Mr. Lundy was acting as the agent for Philip Simao, who was subdividing the property with the intention of transferring ownership of Lot 2A (14.73 acres) to Mr. Lundy. Once the subdivision received final approval, Mr. Lundy would combine Lot 2A by deed with his property, tax parcel #64.20-1-43, creating a 40.43-acre parcel.

**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 stated that Aldi, Inc. would transfer 0.41 acres to Mr. Lundy, which would then be combined with the newly created 40.43-acre lot from Mr. Lundy's 2-Lot Subdivision, resulting in a total lot size of 40.84 acres.

**Sketch Review for a 4-Lot Minor 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

Chairperson Biondolillo stated that the Board could not proceed with the Public Hearing for the 4-Lot Subdivision until confirmation was received 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. This confirmation was crucial, as the proposed 4-Lot Subdivision encompassed the entire 40.84-acre parcel, which would not exist until these steps were completed.

Mr. Lundy planned to construct a road, along with the associated infrastructure, and dedicate it to the Town. The road, designated as Lot 1 on the Plat Map, would be built in accordance with Town specifications. The entire project would be completed in multiple phases, based on developer interest, rather than developing the entire property simultaneously. Mr. Lundy indicated that there were potential developers interested in Lot 2 and in Lot 3.

Chairperson Biondolillo explained the distinction between a Minor and a Major Subdivision. According to Section 135-2 of the Town Code, a Major Subdivision is defined as:

"Any subdivision not classified as a minor subdivision, including, but not limited to, subdivisions of five or more lots, or any subdivision requiring the extension of municipal facilities."

She elaborated that a subdivision would automatically be classified as 'Major' if it involved the extension of Town facilities, regardless of the number of lots involved, and clarified that the "extension of municipal facilities" specifically referred to the expansion of existing infrastructure.

During an internal staff meeting with Mr. Lundy, previous Major Subdivisions involving municipal infrastructure extensions were reviewed. In most cases, these extensions were related to existing infrastructure. Since the proposed infrastructure for Mr. Lundy was not directly related to the subdivision itself, it was suggested that the requirement for a Major Subdivision application be waived, allowing the project to continue as a Minor Subdivision. After a thorough discussion, the Board agreed that the project should proceed as a Minor Subdivision, with the condition that items deemed necessary by the Town Engineer from the Major Subdivision application be included in the Infrastructure Plan for any assets being transferred to the Town.

Lastly, Chairperson Biondolillo informed the Board that Mr. Lundy had agreed to sign the Developer Agreement. This agreement was still pending and would need to be finalized.

**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 informed the Board that additional information regarding environmental impacts had come to light after the October 3, 2024, Planning Board meeting. Therefore, the State Environmental Quality Review (SEQR) would need to be re-opened. The Town Attorney, Mr. Jim Burrows, advised that the Public Hearing remain open until SEQR was resolved and that the Planning Board be designated as Lead Agency in a coordinated review. The involved agencies would include the New York State Department of Transportation (NYS DOT), the New York State Department of Health (NYS DOH), and the New York State Department of Environmental Conservation (NYS DEC). Chairperson Biondolillo noted that the Town had been experiencing significant delays in obtaining feedback from the NYS DOT for municipal projects, and similar delays were anticipated for the fire department's coordinated review.

Chairperson Biondolillo explained that there was a 200-foot Cone of Influence around the A-Site wellhead, with the proposed project encroaching on a small portion of it. Additionally, the parcel was located within a Groundwater Aquifer Recharge area.

The project was submitted to the Jefferson County Planning Board for a 239-m review at their October 29, 2024, meeting, where they adopted a motion recommending disapproval of the project. Their recommendation was based on concerns regarding locating the proposed fire station in close proximity to a major source of potable water for the Town's population. A supermajority vote will be required to override the County's disapproval of the project.

Town Engineer, Mr. Mike Altieri, said his initial comments had been provided. His main concerns for SEQR include the storage and handling of chemicals and fuel on site, specifically regarding short- and long-term risks to the A-Site Well. He highlighted that during the SEQR process, specifically in Part 2 when assessing potential impacts, it may be found that the project's effect on the well constitutes a significant impact, which would require an Environmental Impact Study (EIS) to adequately assess the impacts. Chairperson Biondolillo further emphasized the importance of reviewing the long-term environmental impacts before the building was constructed, to assess for any potential problems that could have an impact on the Town's water in the years to come. She mentioned that this could include things such as ensuring no salt would be used for snow removal on-site, as it could infiltrate the groundwater aquifer.

**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.

The Board reviewed the Plat Map and Chairperson Biondolillo stated that the proposed subdivision was straightforward. The Board had no questions.

**Sketch Review of a Site Plan Application for JORANCO, LLC** – proposal is to construct a new 60' x 80' private transfer station building. The existing building and site would change use 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 stated that the property had previously been used as a mining operation for Greystone Quarries. JORANCO, LLC, also known as Pick N Go Property Waste Services, was now

proposing to use the existing building as their primary business location. The proposal included a storage area for empty dumpsters and roll offs, retaining the existing open-sided storage building, and expanding the gravel roadway. Mr. Shimel noted that the pond was located approximately half a mile from Keyser Road, with a natural buffer of trees between the road and the operational portion of the site.

Chairperson Biondolillo informed the Board that there had not been a pre-submittal meeting as typically required. As a result, she had a list of questions to address with the applicant during the regular meeting.

### **Adjournment**

---

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