

Town of LeRay

Planning Board Work Session Minutes

August 6, 2026

CALL TO ORDER

On August 6, 2026, the Town of 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

Member Collette: ☒ Present ☐ Absent
Member Meeks: ☒ Present ☐ Absent
Member Moran: ☒ Present ☐ Absent
Member Jefferds: ☒ Present ☐ Absent
Member Russell: ☐ Present ☒ Absent
Chairperson Biondolillo: ☒ Present ☐ Absent

Additionally, Lee Shimel (Zoning Enforcement Officer), Leland Carpenter (Town Supervisor), Sam Biondolillo (Town Board Member), Morgan Melançon (Secretary to Planning & Zoning), and Tracy O'Donnell were in attendance.

ACCEPTANCE OF WORK SESSION MINUTES

The minutes from the July 9, 2026 work session meeting were reviewed by the Board. A motion was made by Member Meeks and seconded by Member Jefferds to accept the minutes as drafted. The vote went as follows:

Member Collette: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member Meeks: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member Moran: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member Jefferds: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member Russell: ☐ Yes ☐ No ☐ Abstain ☐ Recuse ☒ Absent
Chairperson Biondolillo: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent

The motion passed.

WORK SESSION

1. **Minor 2 Lot Subdivision Application for Michael Gracey, located at 27123 NYS Route 283, tax parcel #75.09-1-2.**

No updates were provided.

2. Minor 2 Lot Subdivision Application for Mary Desrosier, located at 34091 Drake Road, tax parcel #44.00-3-8.2.

The Board reviewed the plat and noted that no changes were made since the previous month's review. Members discussed the road frontage serving Lot 1 and confirmed that the proposed frontage satisfied the 150-foot minimum requirement for a legal lot.

Mr. Shimel stated that he had received an inquiry from an individual interested in constructing a residence on the lot. Chairperson Biondolillo noted that Lot 1 contained an existing nonresidential building and was not served by public water or sewer. She stated that any future residence might need to be located farther back on the lot to accommodate a private well and septic system.

3. Minor 2 Lot Subdivision Application for Brian Kampnich, located at 30142 NYS Route 37, tax parcel #54.00-3-14.1.

The Board reviewed the proposed configuration of Lot 1 and discussed its possible future construction of a gun shop. It was noted that the Town Code did not contain specific provisions addressing said use. The Board addressed the physical layout and topography of the property, noting that the ground rose toward the rear of what would be a possible shooting lane, which could help mitigate potential safety concerns. Additionally, the applicant had mentioned the possibility of a berm. Regarding the subdivision itself, the Board had no concerns.

4. Minor 2 Lot Subdivision Application for Dana Waterman, located at 27000 NYS Route 342, tax parcel #75.05-1-10.1.

The Board reviewed the Preliminary Plat and noted that the subject parcels were located within the former Water District No. 4 and were now part of the Town of LeRay Consolidated Water District. It was noted that the Town was responsible for the water lines extending to the foundations of the residences. The Board found the Preliminary Plat generally acceptable but noted that the water lines serving the two residences were not depicted, nor the reference to the associated easements. The Final Plat must show both water lines and include a notation identifying the Town's easement extending ten feet on either side of each line.

5. Minor 2 Lot Subdivision Application for I-Site Realty, LLC, located at 26179/221 US Route 11, tax parcel #65.17-1-2.1.

Chairperson Biondolillo stated that she had consulted with the Town Attorney regarding the access easements affecting the property. The Board reviewed the proposed division of the parcel and the existing and proposed cross-access arrangements. Members noted an existing cross-access connection between proposed Lot 2 and the adjoining Aldi parcel. However, the Board was unable to confirm the existence of a recorded cross-access easement between proposed Lot 1 and the adjoining parcel owned by 7-Eleven, Inc. It was noted that, if the applicant's attorney, Mr. Geurtsen, could not locate an existing agreement, appropriate cross-access and maintenance agreements would need to be prepared and recorded.

Member Moran recalled that, during the Board's prior review of the property, cross-access had been discussed toward the rear of the parcels rather than along the front. Chairperson Biondolillo stated that she was uncertain whether an easement resulting from that discussion had ever been recorded. She noted that establishing rear access could require substantial fill and may be costly and suggested that the parties reconsider whether cross-access near the front of the parcels would be more feasible under the current ownership.

Chairperson Biondolillo also noted that the sewer cleanout appeared to be located toward the front of the property and that the buildings were not presently connected to the public sewer system. The revised Preliminary Plat depicted the existing ten-foot-wide sidewalk easement along U.S. Route 11.

6. Discussion for Planned Development District Moratorium.

Chairperson Biondolillo informed the Board of the six-month moratorium on Planned Development (PD) Districts that was adopted by the Town Board at their last meeting. It was explained that the moratorium would provide the Town with an opportunity to review the existing PD District regulations, evaluate how those districts had developed, and reconsider whether the current provisions continued to serve their intended purpose. The moratorium also included the property adjacent to the Ryor Well site.

Currently, the existing PD Districts in the Town were primarily developed as housing complexes and mobile home parks. The zoning code governing the district were intended to encourage coordinated development incorporating a mixture of residential and other compatible uses. The Board discussed the process through which a property owner could petition the Town Board for the establishment of a PD District and questioned how that process was distinguished from spot zoning. Chairperson Biondolillo stated that the Planning Board would review the existing code as part of the Town's due diligence and consider whether amendments should be recommended.

The Board considered whether the district was originally established to allow for future expansion of the housing development or to regulate development near the well.

REPORT FROM ZONING ENFORCEMENT OFFICER

Proposed Flea Market: Mr. Shimel reported that a Church located in Black River had contacted him regarding setting up a flea market. He informed them that the proposed use would fall under Open Spaces, requiring a Zoning Permit.

§ 239-m Referral Exemption: Mr. Shimel reported that the Jefferson County Board of Legislators had adopted an updated General Municipal Law § 239-m Referral Exemption Framework. The framework would allow participating municipalities and the County to exempt certain routine, locally focused planning and zoning actions from mandatory referral to the Jefferson County Planning Board.

Actions with broader regional or intermunicipal significance would remain subject to referral, including comprehensive plans, major zoning text or map amendments, new telecommunications towers,

commercial renewable energy facilities, airport compatibility matters, and matters involving County or State highway access.

Mr. Shimel noted that the Town's existing § 239-m exemption agreement with Jefferson County dated to 1992. For the updated exemptions to apply within the Town, the Town Board would need to adopt a reciprocal resolution authorizing participation in the County's updated framework. Each participating municipality would similarly be required to adopt its own resolution.

Short-Term Rentals Occupancy Tax Law: Mr. Shimel reported that Jefferson County had approved amendments to its occupancy tax law to include short-term rental units. He noted that the change was expected to have a greater effect in municipalities with larger concentrations of short-term rentals, such as the Town of Clayton, than in the Town of LeRay.

The law authorizes the County to retain 2% of the occupancy tax revenue to cover administrative expenses. After that deduction, the remaining revenue would be divided equally between Jefferson County and the city or town in which the tax was generated. Municipalities receiving revenue would be required to place it in a special fund for tourism and convention promotion. Mr. Shimel stated that the local law had been approved by the County and forwarded to the New York State Secretary of State for filing.

Battery Energy Storage Systems: Mr. Shimel reported that the Board had previously received a draft battery energy storage system law from the Town of Clay. He stated that he had contacted the appropriate official to compare Clay's regulations with the Town's existing law. Although the two were generally similar, Clay's regulations contained additional detail.

The Board discussed provisions concerning the use of noncombustible materials, vegetative screening, and required separation distances. Mr. Shimel suggested that the Board consider increasing the required buffer or separation distance between BESS units.

Mr. Shimel also reported that solar energy projects would be required to obtain building permits through Jefferson County Code Enforcement, whereas certain projects had previously been treated as exempt. The change was awaiting approval from New York State, after which County Code Enforcement was expected to notify local zoning enforcement officers.

Chairperson Biondolillo asked whether the new requirement would apply to the Pivot Energy project, which had not yet begun construction. Mr. Shimel stated that it would and that Mr. Crabtree had already contacted the Jefferson County Code Enforcement Officer, Mr. Jason Crump.

REPORT FROM THE PLANNING BOARD CHAIRPERSON

A marshalling yard would be established off LaFave Road in connection with National Grid's Black River-to-Beaver River project. Chairperson Biondolillo stated that Mr. Altieri was addressing the required Stormwater Pollution Prevention Plan (SWPPP) and that Planning Board site plan review was not required.

ADJOURNMENT

A motion to adjourn the work session was made by Member Collette and seconded by Member Meeks. The vote went as follows:

Member Collette:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member Meeks:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member Moran:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member Jefferds:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member Russell:	☐ Yes	☐ No	☐ Abstain	☐ Recuse	☒ Absent
Chairperson Biondolillo:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent

The motion passed and the meeting adjourned at 6:26 PM.

Respectfully submitted,

Morgan R. Melançon

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Secretary to Planning and Zoning