

### CALL TO ORDER

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On May 1, 2025, the Town of 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.

### ROLL CALL

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Member Oatman:            Present  Absent  
Member Collette:        Present  Absent  
Member Meeks:            Present  Absent  
Member Moran:            Present  Absent  
Member Young:            Present  Absent  
Member Jefferds:        Present  Absent  
Chairperson Biondolillo:  Present  Absent

Additionally, Lee Shimel – Zoning Enforcement Officer, Morgan Melançon – Secretary to Planning and Zoning, Leland Carpenter – Town Supervisor, Jan Oatman – Zoning Board of Appeals Chairperson, Stephen Gracey, and Kelly Filkins were in attendance.

### ACCEPTANCE OF MINUTES

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The minutes from the April 3, 2025, regularly scheduled meeting were reviewed by the Board. A motion was made by Member Collette and seconded by Member Moran to accept the minutes as drafted. The vote went as follows:

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

### 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.

## PROJECT REVIEW

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**1. Public Hearing @ 6:30 PM for a 2-Lot Subdivision Application for Kelly Filkins – the proposal is to subdivide an existing 3.95-acre parcel into 2 lots, Lot A = 1.98 acres, and the remaining Lot B = 1.98 acres, located at 26593 NYS Route 283, tax parcel #74.16-2-11.5.**

Chairperson Biondolillo asked the Board to review the Preliminary Plat for Kelly Filkins, who was in attendance and gave a brief presentation. Mr. Filkins had plans to sell the proposed Lot 2 to an individual who planned to build a residential home on the lot. Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none.

Chairperson Biondolillo opened the Public Hearing at 6:32 PM and Secretary Melançon read the Public Hearing Notice as published in the Watertown Daily Times on April 10, 2025.

*“The Town of LeRay Planning Board will hold a Public Hearing on May 1, 2025, at 6:30 PM at the Town Office, 8650 LeRay Street, Evans Mills, NY. The Board will consider Minor Subdivision Applications for Kelly Filkins, located at 26593 NYS Route 283, tax Parcel #74.16-2-11.5, and Savanna Cowart, located at 31112 US Route 11, tax Parcel #45.00-3-26.71.”*

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 6:32 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 Meeks:	<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 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 Plat met all requirements with no additional changes. A motion was made by Member Young and seconded by Member Jefferds to approve the Preliminary Plat. 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 Meeks:	<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 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 Moran and seconded by Member Collette to review the Final Plat. 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 Meeks:  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, a motion was made by Member Oatman 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 Meeks:  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. Filkins that he would receive a letter in the mail outlining the Board’s decision.

**2. Public Hearing @ 6:30 PM for a 2-Lot Subdivision Application for Savanna Cowart – the proposal is to subdivide an existing 89.8-acre parcel into 2 lots: Lot 1 = 2.01 acres, and the remaining Lot 2 = 87.79 acres, located at 31112 US Route 11, tax parcel #45.00-3-26.71.**

Chairperson Biondolillo asked the Board to review the Preliminary Plat for Savanna Cowart. Mr. Gracey was in attendance as the project representative and gave a brief presentation. Proposed Lot 1 was intended to be used as a residential lot for Mrs. Cowart, with the remaining lands to be retained by the owners, Paula Reddick and Mike Countryman. A revised plat map had been submitted that included a depiction of the wooded areas and a notation for the 30-foot-wide right-of-way for Lot 1 access, including the easement for shared driveway access and maintenance responsibilities. Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none.

Chairperson Biondolillo opened the Public Hearing at 6:37 PM and Secretary Melançon read the Public Hearing Notice. as published in the Watertown Daily Times on April 10, 2025, as follows:

*“The Town of LeRay Planning Board will hold a Public Hearing on May 1, 2025, at 6:30 PM at the Town Office, 8650 LeRay Street, Evans Mills, NY. The Board will consider Minor Subdivision Applications for Kelly Filkins, located at 26593 NYS Route 283, tax Parcel #74.16-2-11.5, and Savanna Cowart, located at 31112 US Route 11, tax Parcel #45.00-3-26.71.”*

Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Meeks and seconded by Member Oatman to close the Public Hearing at 6:38 PM. The vote went as follows:

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

Member Meeks:  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 Plat met all requirements with no additional changes. A motion was made by Member Moran and seconded by Member Young to approve the Preliminary Plat. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Meeks:  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 Meeks to review the Final Plat. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Meeks:  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, a motion was made by Member Jefferds 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 Meeks:  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 Board's decision.

**3. Preliminary Review of a 2-Lot Minor Subdivision Application for Francis Bartlett – the proposal is to subdivide an existing 4.34-acre parcel into 2 lots: Lot 1 = 1.0 acres, and the remaining Lot 2 = 3.34-acres, located at 29487 Ansted Road, tax parcel #55.00-1-11.8.**

Chairperson Biondolillo asked the Board to review the Preliminary Plat for Francis Bartlett. Mr. Gracey was in attendance as the representative and provided a brief presentation. Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none.

The Board determined that the Preliminary Plat met all the requirements for preliminary 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:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Meeks:  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 reviewed Part 2 of the Short Environmental Assessment Form (SEAF) and determined that the proposed action would not result in any significant adverse environmental impacts. Part 3 of the SEAF was completed to support this determination. A motion was made by Member Oatman and seconded by Member Collette to issue a Negative Declaration. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Meeks:  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 Jefferds and seconded by Member Meeks to deem the Preliminary Plat as complete. The vote went as follows:

Member Oatman:  Yes  No  Abstain  Recuse  Absent  
Member Collette:  Yes  No  Abstain  Recuse  Absent  
Member Meeks:  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 Meeks to set a Public Hearing for the June 5, 2025, regularly scheduled 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 Meeks:  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 Public Hearing information.

**4. Continuation of Public Hearing @ 6:30 PM for a Site Plan Application for Calcium Fire Department – the 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.**

The Public Hearing for the Calcium Fire Department’s Site Plan Application remained open from the November 7, 2024 meeting to allow for the completion of the environmental review.

The fieldwork for the Phase IA/IB Archaeological Survey was complete and the final report was pending. It was noted that no archeological concerns were found at the project site. No members of the public were present to provide comments on the application.

**REPORT FROM THE ZONING ENFORCEMENT OFFICER**

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Unsafe Buildings: Mr. Shimel reported that five properties in the Town had been identified as potentially unsafe, and letters were mailed to the respective property owners. Three owners had responded as of the meeting. He noted that property inspections may be conducted without landowner permission unless the property is clearly posted to prohibit entry.

U-Haul – Holbrook Road: A letter was sent to U-Haul, located at the corner of Holbrook Road, regarding an unauthorized number of vehicles parked in the front lot. No response had been received to date. Mr. Shimel noted that the property has been vacant for more than one year and would require a new Site Plan application.

7-Eleven, tax parcel #65.17-1-4.2: The conditional Site Plan approval previously granted to NYC Style Deli, Inc. expired on January 4, 2025. Submission of a new Site Plan application for a convenience store was anticipated. Any new development on the lot would require a letter of commitment from 7-Eleven confirming their intent to complete the previously proposed cross-access connection.

Upcoming Variance Requests: Two potential Zoning Board of Appeals (ZBA) Area Variance applications were anticipated to be submitted in the coming months:

- A side yard setback area variance for a garage on Admirals Walk; and
- An area variance request for an off-premises freestanding sign.

White’s Meat Market: Gas pumps had been installed at the site. Mr. Shimel confirmed that the New York State Department of Environmental Conservation (DEC) had issued two Consent Orders, giving Mr. Burnham until the end of May to comply with state requirements. However, Site Plan approval from the Planning Board was still required for the gas station use.

A letter was sent to Mr. Burnham stating that no new Site Plan application would be accepted until all outstanding conditions from his previously approved Site Plan were resolved, bringing the project into compliance. Mr. Shimel noted that the fencing along the Watertown side of the parcel had been corrected.

Zoning Permit Fee Update: The Town Board was considering an increase to Zoning Permit fees for after-the-fact permits submitted by applicants who failed to apply prior to initiating work.

Solar Decommissioning Plan: A sample decommissioning plan previously adopted by the Town of Orleans was forwarded to NextEra as a model for updating their plan for the DG LeRay Solar Project.

Planned Development (PD) District: An inquiry was received regarding zoning requirements for property located within a Planned Development (PD) District. Mr. Shimel confirmed that the minimum lot size for development in a PD District was 15 acres. A variance would be required for any proposal involving a smaller parcel.

Wewer Holdings: Member Collette inquired about the status of the Wewer project. Mr. Shimel stated that stormwater management issues remain ongoing.

Electric Vehicle (EV) Charging Stations: Mr. Shimel reported that Zoning Permit applications had been submitted by Candlewood Suites and Aldi for the installation of EV charging stations. As the Town Code does not currently address EV charging infrastructure, the matter was reviewed with the Town Attorney. Based on relevant case law, the Town was advised to treat EV charging stations as an accessory use until formal zoning updates could be adopted. Chairperson Biondolillo also noted that the Code's definition of "essential services" should be reviewed and potentially revised, as it did not currently include public service uses such as fire departments.

## **ADJOURNMENT**

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A motion was made by Member Young and seconded by Member Moran to adjourn the meeting at 7:07 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 Meeks:	<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 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