

PRESENT: David Stringfellow, Chairman
Paul Ziarnowski, Vice Chairman
Jennifer Lucachik, Secretary
David Bowen
James Liegl
Mitch Martin
Mary Ann Rood

ALSO: Michael Kobiolka Town Attorney
PRESENT: Chris Wood Project Engineer – Heinrich Road Subdivision

Chairman Stringfellow called the meeting to order at 7:30 PM

Mr. Stringfellow asked if there were any corrections or additions to the minutes of September 23, 2014. Being none, Dr. Ziarnowski made a motion to accept the minutes, seconded by Mrs. Rood and carried.

GENERAL CORRESPONDENCE

Secretary Faulring reported:

- Supervisor Ballowe letter dated September 22, 2014 recommending Town Engineer James Hannon as a replacement for Richard Brox, Planning Consultant
- Town Board letter dated September 26, 2014 advising the Planning Board that the Public Hearing scheduled for October 1, 2014 is being postponed for a more ‘in-depth’ discussion with the Town Board members
 - Mr. Kobiolka: the Public Hearing has not been rescheduled at this point and Jennifer (Lucachik) has asked that some amendments be added to the local law
- Planning Board letter dated October 3, 2014 to Joseph Gallagher for a second interview

HEINRICH ROAD SUBDIVISION

Correspondence:

- Richard Brox Review dated October 5, 2014
 - E-mailed to Mr. Wood and Mr. Romanowski
 - ‘The survey sent with the survey description is still not correct unless the lawyers have a reason to use the centerline of Heinrich Road and not use the property line’;
 - ‘I believe this description should read...’ and he goes on listing the courses and distances that go around the New York State land
- Mr. Stringfellow: We received a plot plan that includes the approximate location of Heinrich Road before it was cutoff and made into a cul-de-sac
 - There is no need for a Town Planner signature box on the plat plan
- James Hannon Review dated October 13, 2014
 - Provided a Negative Declaration with regard to SEQR; which we should act on tonight

Mr. Stringfellow: I will introduce a motion that as Lead Agency, the Planning Board has conducted an environmental review and has taken a hard look into the Heinrich Road subdivision project, and that the proposed action will not have a significant impact on the environment and therefore declare a Negative Declaration and that no further be required per NYCRR Part 617.

Mr. Martin: Second.

Mr. Stringfellow: Second, is there any question?

Dr. Ziarnowski: I read through this whole thing, does that mean that we like everything the way it was checked off? Is that what we’re agreeing too?

Mr. Stringfellow: We are agreeing that we feel this project will not have a significant environmental impact and environmental impact does not need to be investigated any further.

Dr. Ziarnowski: Can we pick it apart later or is it over; once we do this it gets put away?

Mr. Stringfellow: No we are simply done with the environmental impact part of it. Any other discussion? All in favor of the motion please say ‘aye.’

All were in favor of the motion, there was none opposed.

Mr. Stringfellow: There was a question about whether the County Health and Finance Departments needed to sign off; I believe Mr. Kobiolka was going to look into that.

Mr. Kobiolka: I did not check into that; I checked about having the public hearings on the same night.

Mr. Wood: I talked to Jennifer Delaney, the health department does not need to sign off on it because the majority of lots are over five acres. The County Finance does need to sign off on it because that is who stamps it when we file it with the County as a map cover. So the final plat will need four signatures: Planning Board, Town Engineer, Highway Superintendent and Department of Finance.

Mr. Stringfellow: Mr. Kobiolka did look into the question of whether we can hold simultaneous preliminary and final hearings and the answer was 'no, we have to have two separate hearings.' Mr. Kobiolka, can they be on the same night one after the other?

Mr. Wood: We've done, not in Boston, we've done in other towns preliminary and final in the same night.

Mr. Stringfellow: I know one of the stumbling blocks is that it is mentioned in Boston Town Code.

Discussion followed regarding the number of Public Hearings that need to be held.

Mr. Kobiolka: I checked with the Association of Towns and they said if that's in our Code then that's what we have to follow. I would like to go close on this because I'm concerned about the slope and the runoff. I know that it will be handled, but we have a lot of situations in Town where 'we bought a piece of land in and the water came down, how come the Town didn't do something about it?' Now is our time to take a look at it and now is our time to do something about it. And I want to be sure that if anybody doesn't like the way this subdivision was done, that we at least followed the Code.

Discussion followed regarding dates for preliminary public hearing, and if they can be done on the same night.

Mr. Kobiolka: Thelma doesn't get back until Thursday, she will have until Monday October 20 to get the Preliminary Public notice in for a hearing on October 28, that gives five day notice to the public

Mr. Martin: I will make the motion to set the Public Hearings for the earliest possible dates that that the Planning Board meets.

Mrs. Lucachik: I second.

Mr. Stringfellow: Motion and second; any discussion?

Dr. Ziarnowski: You have no control over what type of houses are being built; this is actually entities with houses...

Mr. Wood: Andy is building the houses.

Dr. Ziarnowski: Is Andy environmentally aware, like is he on the job; I'm the lighting guy and the one thing that always bothers me in the SEQR is if there are going to be any light changes on the hillside.

Mr. Wood: No.

Dr. Ziarnowski: How can a subdivision not have lighting changes on the hillside, particularly for the neighbors in that area who have been looking at a dark hillside forever? You can't control everything that a homeowner wants but I would hope that Andy being on a planning board in Eden has a little bit of sensitivity to push people in that direction, environmentally in lighting and what a benefit the existing people in that area.

Mr. Wood: He wanted to be here tonight, we had two meetings this evening and so we had to split up.

Dr. Ziarnowski: So that is my only objection to the SEQR check-off box, because there obviously has to be a change in lighting when you do a subdivision and they checked off no change in lighting, and so that was my only concern and that's why I brought that up.

Mr. Stringfellow: There are no streets being developed so there are no street lights...

Dr. Ziarnowski: It's a residential building so we can't control it, I just wanted to make the point that they are changing the lighting and hopefully Andy has...

Mr. Wood: I think he does.

Mr. Stringfellow: Any other discussion? We have a motion on the table, does everyone understand the motion? All in favor say 'aye.'

All were in favor of the motion, there were none opposed.

Mr. Stringfellow: Is there anything else you wanted to add?

Mr. Wood: If you can't do them both on the 28th, will you have an earlier Planning Board meeting in November or just the one?

Discussion followed regarding the scheduling for the public hearing for the final plat.

Mr. Kobiolka will check with Secretary Faulring about her schedule and other activities at the Town Hall.

LIAISON – COUNCILMAN BOARDWAY

Mr. Boardway was not in attendance at this evening's meeting.

TOWN ATTORNEY – MR. KOBIOLOKA

Mr. Kobiolka: The Town board has taken a look at severing the contract with the County for snowplowing. The County shorted the Town \$4,890.00 for the bills for Omphalius and Cole Road, too. The County is reluctant to pay the full amount that we were guaranteed. So the Town Board may vote on this Wednesday to sever the ties with the County.

