

PRESENT: David Stringfellow, Chairman
Jennifer Lucachik, Secretary
David Bowen
Mary Ann Rood
Dr. Paul Ziarnowski

ABSENT: Mitchell Martin
Anthony Zeniuk

ALSO	Jay Boardway	Councilman – Town Board Liaison
PRESENT:	Michael Kobiolka	Town Attorney
	Thelma Faulring	Secretary to the Boards and Committees
	Richard Brox	Planning Consultant
	Dana Darling	Applicant – Brookfield Patio Homes
	Joe Gauthier	Applicant – Brookfield Patio Homes
	Joe Palumbo	Engineer – Brookfield Patio Homes
	Sean Hopkins	Attorney – Brookfield Patio Homes
	Ron Yornick	6405 Deanna Drive

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

MINUTES

Mr. Stringfellow asked if there were any correction or additions to the minutes of the regular meeting of August 13, 2013. Being none Dr. Ziarnowski made a motion to approve the minutes, seconded by Mrs. Lucachik and carried.

CORRESPONDENCE

Secretary Faulring reported:

- Code Enforcement Officer Ferguson’s August end of month report
- Nothing received for Moon subdivision
- Nothing received for Boston Luxury Apartments

Discussion followed regarding unsigned correspondence being distributed. It was decided to distribute this type of correspondence but no action would be taken

- Other correspondence at point
- Correspondence to be distributed after adjournment - not on agenda

PROPOSED BROOKFIELD PATIO HOMES – FINAL SITE PLAN REVIEW

Correspondence:

- Richard Brox review
 - Mailed to members and applicant
- James Hannon review dated August 7, 2013
 - Distributed to members and applicant

Sean Hopkins introduced Joe Palumbo from Carmina, Wood & Morris; and project developers Dana Darling and Joe Gauthier to those in attendance.

Mr. Hopkins: We presented this project several months ago; left that meeting with the understanding that we had to proceed to full engineering; Joe worked diligently over the course of several months to prepare the fully engineered plans that had been reviewed by Mr. Hannon; we also have received comments from Mr. Brox that Joe is prepared to address and has incorporated those comments into those plans; we’ve also been working diligently towards obtaining a wide assortment of outside approvals for the water, sewer, storm water from the DEC, etc. and we’re hoping that we’re in a position this evening that you can issue a positive recommendation to the Town Board. Of course it is important to keep in mind that the layout of the project is largely identical to what was presented previously to the Planning Board and the Town Board as the rezoning stage which concluded in June of last year that also did include the issuance of a negative declaration pursuant to the State Environmental Quality Review act after a very thorough environmental review was conducted by the Town Board with the assistance of this Planning Board. We think that we are in a position that we can finally go forward. Joe and Dana are very excited to begin work; it’s also important to keep in mind that this will be built in phases. Dana what are the current plans in terms of timing of phases?

Mr. Darling: Two buildings at a time.

Mr. Hopkins: There was a concern previously is there really a demand for this type of housing. We think there is, yes. We're not going to build these buildings and hope they all get filled up. It's going to be built gradually over time; two building at a time, once these get filled out and the market stabilizes then hopefully they will continue proceeding back. We're hoping that this will be very successful and in time will be fully built out.

Mr. Brox and Mr. Palumbo discussed Mr. Brox's report:

- Brox's signature on landscape plan only
- No highway Superintendent signature – this is not a public road
- Light standards - the RPZ in meter enclosure
- Mailboxes off the old plan
- Two-way driveways are 24 feet wide all the way down to the T-turnaround
- Residence roads are 20 feet wide – with the anticipation that you are not going to see a lot of two-way traffic on those roads
 - Truck lines have been redrawn
 - People tend to drive as the roadway is designed
- Deeper driveways
- Is wide enough for emergency vehicles
- A
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The following will be used to identify Planning Board and associates (PB) and Brookfield Patio Homes, developers and associates (BPH) for the minutes, and will not be in full question / comment format; until such time when speaker needs to be identified:

NOTE: Most of the following were also answers to Mr. Brox's review.

PB: Driveway

BPH: 2 cars – 1 car per unit

Per unit – 1 car in driveway and 1 car in garage

PB: 24 feet enough?

BPH: 24 feet deep from the edge of the roadway to the front of the garage and 14 ¼ feet wide for each spot – must parking spaces are 9 to 10 feet wide

Discussion followed regarding the length of vehicles and comparison of this driveways and shopping area parking spaces.

PB: Handicapped accessible

BPH: 11.3 feet width of parking spot wide with 8 feet accessibility on the side of it

PB Parking - visitor

BPH: Extra parking has been added on the turn; six parking spots here; two parking spots added in between every other set of units; did away with dumpsters and those areas were turned into parking spots; we've also accommodated at the end of the drive-outs in the case of an emergency there would be extra parking for two spots, these parking spots are not lined out or in the count

PB: Mailboxes

BPH: Individual mailboxes on each base of the unit; a standalone at the end of each residence road along the main driveway

PB: Does the Post Office have any comment on that?

BPH: They will help with the addressing of the site and they will pick the location so they don't have to go door to door; they will approve the size of the boxes; looking at pre-fab units that would be weather resistant

PB: Landscape Plan sheets C-300 and C-301

BPH: Changed the notes on the landscape plan so that we would be applying the seed at the rate of 15# per acre and 1# per 3000 square feet

PB: Swale

BPH: I adjusted this note to call out that all services to have four inch topsoil installed prior to seeding

PB: (sheets) 401 and 402

BPH: printing not clear – this is just a reproduction problem; on the utility plans the stormwater is grayed out so it's not as bold as the materials to install, sheet C-300 which is the stormwater, all the manholes and storm catch basins are all real dark

BPH: So that's also the comment for items 8, 9 and 10

BPH: The details on, this should get 3 or 4 of them of all these details that were called out for the six inch topsoil, I doubled checked and it looked like it was on there

PB: Call it out – Be sure that you get six inches

BPH: Landscape Plan

BPH: Seed rates were all changed for the bio seed; added not to bio box

PB: The trees in front of the units and the Planning Board wanted them

BPH: On site there are a lot of existing trees that he would like to save and some of them are ornamental, so his intent is to reuse as many of the onsite trees in front of the units

PB: Show them on the plans and explain that existing trees are going to be replanted

BPH: Will be careful not to interfere with the lighting

PB: Lighting - provide pictures

BPH: I believe we've provided that at your request

We're using a shoebox on the main drive isle, recessed lighting;

In between the building we went with something more residential kind of classic looking; the light is recessed up in the top but spreads the light around more a park like setting

PB: How do we know what's on paper actually happens out there, shooting grades, 6 inches topsoil? How do we know?

BPH: Your Building Inspector has to inspect the site as throughout the building process, so they will be out there as well as a site of this caliber will have a Stormwater Pollution Prevention Plan (SWPPP) Inspector come out once a week, so they will be inspecting all the stormwater; DEC will do inspections.

Part of what's interesting about this project is that the owners are the developers, they are the ones doing a lot of the work, so in a situation like this the standards are held a little higher.

PB: Code requires a scale of 1" to 100' or less – you show 120'

Discussion followed. Issue was resolved.

PB: Elevation views of the buildings are not included

BPH: Waiting on the architects for those

PB: There is a note that says that electric, phone and gas will be coordinated with the appropriate companies and that's all. All utilities are to be underground?

BPH: Yes.

BPH: More than likely it will be storing burial for all utilities and the transformers and pedestals will be grouped together.

PB: Are those on the plans?

BPH: If they were above ground you would have to show them. Generally the utility companies won't coordinate until you get to the permit process.

PB: Garbage disposal?

BPH: Garbage totes will be provided for each unit, and recycle totes. To be placed at the end of the driveway on pick-up day. And stored in a little nook in the garage.

BPH: Can that be put in the lease that stored inside except on garbage day.

PB: Have drainage and flow calculations for the sizing for the detention ponds been provided to the Town Engineer?

BPH: Yes and approved, and have acknowledgement of our NOI as well. DEC approved.

PB: To me a seven phase construction plan is...let's try building next door and see if it works....build two buildings and if they rent we'll build two more, and if they rent we'll build two more. Construction is going to go on forever or end with only a small portion of what was planned, and I'm not comfortable with either of those.

- BPH: We wouldn't advance this project if we thought it was going to end here or here (pointing to the site plan) or here. We're quite confident that there is a demand for these units. With that being said you'd never bring all these units on at one time, from a marketing perspective or a risk perspective or a lender perspective; no bank is going to finance all those projects on line in the Town of Boston at one time, it just doesn't happen. I think it's good from the Town's perspective because the concern that was raised was that we were going to have a bunch of empty buildings and then they're going to turn into low income housing and then they're going to be vacant and then they're going to be derelict. We want to build them out as we verify the demand is there and we think it is
- PB: I would lean toward an in between – four building instead of two and it would speed up the process and it would give the buyers more flexibility.
- BPH: The units are largely the same. So we envision that we are going to start with two and if they do fill up quickly and Dana and Joe are comfortable that the demand is there, they might choose to go with two buildings at the next phase. It's in their best interest, they don't want to build buildings that are going to sit there; we want to make sure that as we proceed that the demand is there and we really think it is. This type of project – the single story – ranch type – attached town house for rent is working very well in other municipalities right now.
- PH: The first two units you would have actually how many patio homes?
- BPH: Fourteen.
- PB: And you're not comfortable going beyond that?
- BPH: Dana has a list of prospective users but again...
- BPH: I'm not comfortable with doing more than two at a time, that's too much risk at hand. I'm confident that it's going to take off, but it's not going to be all at once.

Discussion followed including further discussion about the number of building being built at one time, getting jump on other 'proposed' projects coming to Town; is the Town worse off or better off by building one at a time.

- PB: From the Town's perspective we aware of this project and potential for other projects as you eluded to; we put faith in the builders and the developers that they have explored the market. Beyond that we've had conversations with the assessor in Town and she herself has thought that projects like this would be beneficial to Town, possibly keeping people considering leaving, in Town. Obviously from a business standpoint I understand the risk part of it as far as building...I don't want four of them sitting down there empty. Again we do put faith in the developers and builders coming into Town looking for good spots for these projects.
- PB: Is there a bailout plan? Say it never goes past four or six units. What happens to the road?
- BPH: We'd change the turnaround from the end to wherever that point would be.
- PB: Has anyone approached the fire company for their input, would they be able to get in and out with fire trucks?
- BPH: We haven't approached them directly, but we have run the runs with the trucks and with the turns. They can be approached

Discussion followed regarding the length of fire trucks. And the length of fire trucks of the future.

- PB: Is it appropriate to have the fire company sign off on it?
- PB: I would like to have the fire company review it and give us some sort of report.
- PB: There is a relatively large light that goes down between two buildings and then about halfway down there is a light on each side. If you look at the plots of intensities it gets to 5 or 6 around the light and gets down to around zero by the time it gets to some of the apartments. Is there going to be exterior lights on the building?
- BPH: Each of the units will have an exterior light at entryway on the building itself that they will be able to turn on and off. You don't really want to blast these houses with light or they can't sleep at night. Are you putting on the back and on the front?
- BPH: Probably right by the door

Discussion followed regarding the drop of intensity of the light. Positioning of the light standards and if they were placed further apart there would be dark spots.

- PB: Putting rental units next to a trailer park, which are also rental units, how is that good for the Town?
- BPH: Demographics:
- Empty nesters
 - Seniors – sell their homes, want to stay in town
 - Snow-birds

PB: Condo association?

BPH: No you can't have a condo association for rental units.

BPH: Joe and I are the owner/developers. They are going to be nice homes; 1,100 square feet; looking for seniors who no longer want to do maintenance. They're something like the homes on Boston State Road and Rollin Drive. We're going to make them nice.

PB: What is the rent?

BPH: \$1,000.00 plus utilities.

PB: Any other fees?

BPH: No, the rent include snow plowing, lawn mowing, landscaping, everything.

Mr. Stringfellow: Are we ready to approve this? If not what do we want/need from them?

Mr. Brox: Unit landscaping in on there, but we would like to see more trees in the area.

Mr. Hopkins: There are several existing trees on site and their plan is to replant some of those trees.

Discussion followed regarding the grading and will be shown on the topographical survey. Have to be in compliance with DEC regulations.

Mrs. Lucachik: I will make a motion to send a favorable recommendation to the Town Board for the site plan submitted with the following condition:

- * Fire company review
- * All required permits are in order as stated in Town Engineer James Hannon's review dated August 7, 2013

Mr. Bowen: I would second it.

All members present were in favor of the motion.

Mr. Hopkins added that in Mr. Hannon's letter references the need for the driveway curb cut permit from Erie County, you don't get that until after the site plan is approved.

LIAISON – COUNCILMAN GENZEL

Councilman Boardway reported in Mr. Genzel's absence:

- Contracts for the three fire companies in Town has been resolved
- October 9 at Town Board meeting Public Hearing for Community Block Grant Funds
 - Targeting on the Mill Street project

TOWN ATTORNEY KOBIOŁKA

Mr. Kobiolka reported:

- North Boston Park is receiving County water

EXECUTIVE SESSION – BY MOTION

Mr. Stringfellow made a motion to go into Executive Session to discuss Richard Brox contract renewal and other personnel matters, seconded by Mr. Bowen and carried

REGULAR SESSION BY MOTION

Mr. Stringfellow made a motion to return to regular session, seconded by Mrs. Rood and carried.

RECOMMENDATION FOR APPOINTMENT

Mr. Stringfellow made a motion to recommend to the Town Board the renewal of Richard Brox's contract with the same terms and conditions, seconded by Dr. Ziarnowski and carried.

Mrs. Lucachik asked Secretary Faulring to send a letter to the Town Board asking for the removal of (multiple absences) absent member

ADJOURNMENT BY MOTION

Mr. Stringfellow: Is there any other business for this evening?

Being none Mrs. Lucachik made a motion to adjourn (8:55 PM), seconded by Mrs. Rood and carried.

Respectfully submitted,

Jennifer Lucachik
Secretary