

BOSTON PLANNING BOARD

April 24, 2001

PRESENT: Paul Jusko, Chairman
Patricia Hacker, Vice Chairman
Kevin Maxwell, Secretary
Margaret Andrzejewski
J. David Early
Thomas Edington
Jeff Mendola (alt)
Michael Pohl (alt)
David Stringfellow

ALSO Liaison, Councilman Dennis Mead
PRESENT: Town Attorney Michael Perley
Code Enforcement Officer Dennis Kramer
Town Engineer Robert Harris
Town Planner Richard Brox
Gary Eckis – Boston Hill LLC
Bruce and Jackie Yager – Boston Hill LLC
William Brunner – Brunner Eatery

Chairman Jusko called the meeting to order at 7:30 P.M.

MINUTES

Chairman Jusko asked if there were any additions or corrections to the minutes March 27, 2001. Mr. Stringfellow stated that on page three the second last paragraph should read 'this 56 acre parcel is nearly 500 feet off of the existing turn around.' Mrs. Hacker made a motion to accept the minutes as amended. Second by Mr. Edington. All in favor

Chairman Jusko introduced Jeff Mendola and welcomed him to the Planning Board as the second alternate member.

CORRESPONDENCE

Mr. Maxwell read the following correspondence:

- March 30th letter to Town Board recommending approval of Evans Bank Site Plan
- received from Erie County Executive Joel Giambra - Geographic Information System now on WEB page of Erie County Government
- received from Houghton College - 8th Annual Southern Tier Local Government Conference on May 10, 2001. Chairman Jusko advised members there is money in budget for anyone planning to attend.
- Received from Deputy Town Clerk – Town Board appointment of Jeff Mendola to Planning Board

LIAISON – COUNCILMAN MEAD

Councilman Mead reported from the Town Board Meeting of April 18, 2001:

- Town Board approved the Evans National Bank Site Plan on the recommendation to the Planning Board
- Appointed Jeff Mendola as Alternate Member of the Planning Board

BRUNNER EATERY – William Brunner

Chairman Jusko recapped from last discussion that drainage issues needed to be addressed. With the receipt of next plan the elevations were changed and shown on plan; and the entrance was changed and is shown.

Mr. Brunner said that Ken Kloeber has made appropriate changes in elevation and drainage calculations, and were sent to Town Engineer Robert Harris. Also, the NYS DOT requested that the exit from the parking lot be a one car only exit.

Mr. Brox asked if the DOT had any concern with the center median in the right of way. Mr. Brunner said that he has not received final approval from DOT.

Secretary Maxwell read Mr. Brox's letter of April 24, 2001.

Mr. Harris said that he had received letter from Mr. Kloeber and concurs with him that there is capacity in the retention basin on the Kuhn property for the flow coming from the Brunner property. He commented from the most recent drawing that the water surface in a basin is 97.2 feet, and during a major storm would be submerged, which is a matter of concern. He added that submerged situations are subject to silt settling in the pipes causing the pipes to become smaller and unable to carry water. He advised Mr. Brunner to double check the actual calculation of what the flow will be down through the pipe. Mr. Harris also suggested that catch basins be added rather than just having French drains, this would also make cleaning out somewhat easier. One last concern with modification to the elevation where the property slopes to get to the French drain, during a winter/spring weather situation the French drain may become clogged with snow or ice, the water may not get to the pipe to drain. Mr. Harris expressed a concern with the two-foot drop on the south side of the property not far from the Park and Ride. Mr. Brunner said that he and Mr. Kloeber had decided to add 4 catch basins to each side of the parking lot, they will run along with the French drains and into the Kuhn ponds. He said that with the addition of these receivers he does not believe there will be runoff into the Park and Ride.

Mr. Harris reiterated his concerns: that even with the catch basins there cannot be water draining into the Park and Ride, and if this plan is accepted it is sufficient but somewhat unconventional partially due to the elevations on the site and the affect on maintenance.

Chairman Jusko asked if there were any further questions or comments.

Mr. Maxwell asked Mr. Harris if this plan need further review. Mr. Harris said yes.

Chairman Jusko advised Mr. Brunner that all issues discussed need to be on the plans submitted, and Mr. Harris' concerns need to be resolved.

Mr. Brunner objected to further delay and said the site will be developed as shown or better.

Town Attorney Perley said that there would be no shortcuts to approval of the Site Plan. The Town Board and the Planning Board will proceed as described in Town Code so the Town Board can confidently proceed on the recommendation of the Planning Board.

Mr. Stringfellow made a motion that further discussion be tabled until final site plans are submitted with all details addressed and shown, subject to Mr. Harris' approval. Second by Mr. Edington. All in favor.

BOSTON HILLS – Gary Eckis

Chairman Jusko said that previously there were a series of drawings showing parcels of land adjacent to the existing sub-division, and now have one drawing with all proposed parcels shown. There was discussion of the roadway, its maintenance and snowplowing as the plan was submitted.

Secretary Maxwell read a letter from Mr. Eckis dated April 5, 2001, and plans submitted with the addition of three parcels of 6.93 acres, 56.66 acres and 20.63 acres.

Mr. Maxwell said that a letter was sent to Mr. Kreitzbender asking him to be in attendance at tonight's meeting, but he was unable to attend.

Boston Hills, con't.

Secretary Maxwell read letter from Highway Superintendent Kreitzbender dated April 23, 2001. Question was which driveway is referred to in Mr. Kreitzbender's letter.

Mr. Early asked the frontage of the 56 acre parcel. Mr. Perley said the frontage is shown on the detail of the site plan, the parcel has 105 feet of frontage.

Mrs. Hacker said with the 'T' turn-around this Board has a concern for emergency vehicle access to the property. Mr. Yager spoke on behalf of Ted Liarus, owner of the 56 acre parcel. Mr. Yager said that the house would be built about 1200 feet from the 'T' turn-around.

Mr. Maxwell asked Mr. Eckis if the 'T' turn-around would be completed as stated as a condition by this Board, at the time Mr. Eckis requested to increase the size to lot 25.

Mr. Eckis said that the Highway Superintendent would like all three driveways to come together above the 'T' and then to the 'T' as a single driveway. This would allow for snowplowing to the left and to the right of the 'T'.

Mr. Maxwell asked Mr. Eckis if he discussed, or did Mr. Kreitzbender request the possibility of a cul-de-sac. Mr. Eckis said neither discussion had taken place. Mr. Brox said Town Code does not mention 'T' turn-arounds as an option.

Mr. Maxwell asked if this Board can dictate that driveways be built to some specification to accommodate emergency vehicles. Mr. Brox said not by law at a single-family residence.

Mr. Maxwell asked if the Town can be liable if an emergency vehicle is not able to gain access to the property. Mr. Perley said no. Mr. Kramer said that when he issues a building permit he advises applicant of emergency services requests, and usually most applicants are receptive to his suggestions.

Discussion continued regarding driveways, 'T' turn-around, road frontage and culvert installation.

Chairman Jusko said to Mr. Eckis that this Board needs to meet with Mr. Kreitzbender and have him explain to this Board what is most desirable and yet meets Town Code before further discussion continues.

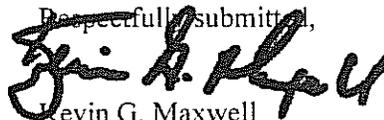
Mr. Maxwell made a motion to table further discussion until Mr. Kreitzbender agrees to meet with this Board's members to address their concerns. Second by Mrs. Hacker. All in favor.

CODE ENFORCEMENT OFFICER KRAMER

Mr. Kramer said that he had received a site plan from the Boston Grille. Mr. Kramer asked that this Board send a letter to the owners and identify specifically what is needed from this Board to proceed. Mr. Perley said that he would contact Allithea Killeen, attorney for Boston Grille with what exactly is needed.

Chairman Jusko asked if there was any other business to be brought before this Board.

Being none, Mr. Edington made a motion to adjourn the meeting at 8:40 P.M. Second by Mr. Maxwell. All were in favor.

Respectfully submitted,

Kevin G. Maxwell
Secretary

KGM:tjf