

PRESENT: Paul Jusko, Chairman
Patricia Hacker, Vice Chairman
Kevin Maxwell, Secretary
J. David Early
Jeff Mendola

ALSO PRESENT: Michael Perley Town Attorney
Dennis Mead Town Board Liaison
Richard Brox Planning Consultant
Karen Diemunsch Southtowns Rural Preservation Company
James Halfpenny Architect for Southtowns Rural Preservation Company
Paul Speich Conservation Advisory Council Liaison

EXCUSED: Margaret Andrzejewski
David Stringfellow

ABSENT: Michael Pohl

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

MINUTES

Mr. Jusko asked if there were any additions or correction to the minutes of November 26, 2002. Being none, Mrs. Hacker made a motion to approve the minutes, second by Mr. Early. All in favor.

CORRESPONDENCE

Secretary Maxwell reported the following correspondence:

- Letter dated November 25, 2002 from Highway Superintendent Wayne Kreitzbender stating that he has no objection to amending the Three Girls' Café site plan
- Letter dated December 5, 2002 from Town Clerk Shenk regarding the Association of Towns Annual School, February 15 – 19, 2003
- Remaining correspondence to be read at point in agenda

LIAISON – COUNCILMAN DENNIS MEAD

Mr. Mead reported from the Town Board meeting of December 4, 2002:

- Public Hearing for Cell Tower, tabled until requested information is received about current occupants
- Public Hearing for late fees for permits, approved
- Day Care Center application referred to Planning Board for review and recommendation

SOUTHTOWNS RURAL PRESERVATION COMPANY, INC.

Building plans and site elevations were displayed for review.

Mr. Maxwell reported to the following correspondence:

- o Letter dated November 19, 2002 from Southtowns Rural Preservation regarding the application
- o Letter dated November 21, 2002, received from Town Clerk Shenk referral from Town Board
- o Previous correspondence distributed:
 - o Letter dated January 11, 2001 from Planning Board with approval of Conceptual Site Plan
 - o Letter dated February 6, 2002 from County of Erie Department of Environment and Planning, confirming that plans for expansion at the Boston School is consistent with Erie County's Consolidated Plan
 - o Letter dated July 30, 2002 from Governor Pataki to Southtowns Rural Preservation advising of approval
 - o Letter dated July 26, 2002 from NYS Housing Trust Fund Corp. advising of award of monies for new construction
 - o Southtowns Rural Preservation description of project
- o Letter dated December 10, 2002 from Richard Brox stating that the site plan and supporting materials meet submittal requirements.

Chairman Jusko asked Ms. Diemunsch if there was anything to add or any changes to the project.

Ms. Diemunsch stated there has not been any substantial changes since originally submitted. She added that a copy has been included of the Phase I Environmental Assessment that was required by New York State, subject to a 30-day review. They are still awaiting word from that review before going to contract with NYS. The only correction Ms. Diemunsch made to that report is that the initial report indicated that there was radon in the building, tests were done and the amount of radon is well below mitigation rates.

Mrs. Hacker suggested that this test be done yearly.

Chairman Jusko reviewed from the Town Code Book, Section 97-7 Site Plan Review and commented that all appeared to be in order.

Mr. Brox said that topography maps, catch basins and drainage were in order.

Mr. Perley asked who the units were targeted for.

Ms. Diemunsch said that they are required by NYS to rent too, because of the type of funding, 60% to varying median income. She further explained that a median income for a family of four in the Buffalo/Niagara area is \$50,800. The family income this project is targeted for is \$25,400.

Mr. Perley asked then this project is for families. Ms. Diemunsch said the two and three bedroom units could possibly be for families; it could be a single parent with two children. Ms. Diemunsch also stated that they are not permitted to rent two or three bedroom units to a single person.

Mr. Perley asked what is currently at this site.

Ms. Diemunsch said there are 2 – 1 bedroom units, one of which is totally designed for handicapped accessibility; and there is 1 – 2 bedroom unit. All units are handicapped adaptable

Mr. Perley asked about the proposed addition>

Ms. Diemunsch stated that those figures are in the project description:

- 1 – 2 bedroom units 880 square feet
- 1 – 1 bedroom unit 610 square feet
- 1 – 1 bedroom 715 square feet
- 2 – 1 bedroom unit 835 square feet
- 2 – 2 bedroom units 826 square feet
- 2 – 3 bedroom units 1070 square feet

Mr. Perley said that renting to people of a certain income level, that they will have to be expected to have their own transportation, being in that end of Town, there is no public transportation other than early in the morning and late afternoon/early evening. He asked if there were any restrictions/screening in the rental application. Ms. Diemunsch said that people are aware of that need out here. She added that they cannot refuse to rent to people, but in the past have had renters, particularly handicapped, that have relatives in Town. Discussion followed about the need for a car, and whether there are enough parking spaces provided. Mr. Brox said the parking is than adequate for two spaces per unit.

Mr. Perley asked Ms. Diemunsch if she had talked to any of the neighbors about the project. Ms. Diemunsch said that some have come to her. Mr. Perley said that he has received some telephone calls with concerns.

Mr. Early asked the amount of rent charged for the apartments. Ms. Diemunsch said the one bedroom units are \$320.00; the two bedroom units are \$370.00 and the 3 bedroom unit is \$400.00 at this point in time, we may come down in rent.

Mr. Perley asked, that is actual out of pocket money of the tenant, that's not subsidized? Ms. Diemunsch said that these units are not subsidized. Ms. Diemunsch added, if someone comes to us with a Section 8 voucher, we are not required to accept vouchers, we still go through our own process. You know if someone has a voucher, that they are income eligible.

Mr. Early asked if utilities are included. Ms. Diemunsch said that includes water and trash pick-up at this point.

Mr. Maxwell asked if NYS sets the rental rate. Ms. Diemunsch said that SRPC sets the rates, but they have to be accepted by the State. The State mandates that we do not have too much cash flow; again, we are not for profit, only that we have enough cash flow that we can cover emergency expenses.

Mrs. Hacker asked if all the apartments weren't rented, could those not rented be rented to someone who doesn't have low income at a higher rate?

Ms. Diemunsch said that they could go as high as 80%, that's what we're at right now. 80% for two people is \$18,500.

The Board members reviewed the Master Plan.

Chairman Jusko asked if there is a waiting list. Ms. Diemunsch said that they are not permitted to use a waiting list. We have to submit an Affirmative Action Marketing Plan and that means that we will advertise, with that we have a window of a two to three week period, where people come into the office and pickup an application, then once that window is closed, we will screen those applications and the State encourages us to do a lottery for the apartments.

Mr. Perley asked what is the screening process? Ms. Diemunsch said the key thing is to be sure that the applicant is income eligible, and then what the need is, we look at references, verification of employment or other assistance like Social Security. There may be some additional requirements that the State asks for. This is a different type of funding than we did for the original project.

Mrs. Hacker asked if there is preference given to local people. Ms. Diemunsch said that it is her feeling that it will be local people, it's not going to be someone from too far. Ms. Diemunsch said that there are 2 local people that have asked for applications.

Mr. Perley referred to the Master Plan Land Use Map, which indicates that this is a medium density residential area, and is consistent with the approach that they expressed on the interview process.

Chairman Jusko stated that it is this Board's mission to process and evaluate the application per the Town Code, and if the proposed project is in harmony with existing development in the area. The final decision is with the Town Board. Our job is to be certain that it complies with Town Code, and I feel that it does.

Mr. Maxwell said that the only item he would ask to be addressed is adequate parking. There is a requirement of two spaces per unit.

Mr. Jusko asked for a motion.

Mrs. Hacker stated that the application submitted by Southtowns Rural Preservation Company was reviewed by the Planning Board and found to be in compliance with Town Code, specifically Section 97-7. That with the modification of parking that this application is considered complete.

Mrs. Hacker made a motion to forward the application to the Town Board for its action. The motion was seconded by Mr. Maxwell. All were in favor.

DAY CARE CENTER – PRELIMINARY DISCUSSION

Secretary Maxwell noted the official referral from the Town Board at the December 4, 2002 meeting.

Chairman Jusko asked that a letter be sent to Ms. Betz instructing her to submit and comply with the Town Code Section for Site Plan Review. Upon receipt and review, Ms. Betz will be notified when discussion for her application will be placed on the Planning Board agenda.

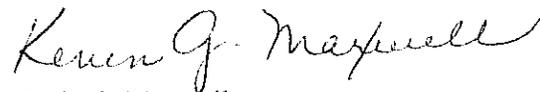
Chairman Jusko stated that the next meeting would be on Tuesday, January 14, 2003. He asked that the members give their continued support, to incoming Chairman Patricia Hacker, as he has received in the past. He thanked the members for all the help that he was given.

Mrs. Hacker thanked Mr. Jusko for his service and guidance over the years, and is glad to still have him as a member of this Board.

Chairman Jusko asked is there were any further business to bring before this Board.

Being none, Mr. Mendola made a motion to adjourn at 7:59 P.M., seconded by Mr. Early. All in favor.

Respectfully Submitted,



Kevin G. Maxwell
Secretary

KGM:tjf