

## **Planning Board Minutes January 8, 2008**

BOSTON PLANNING BOARD JANUARY 8, 2008

PRESENT: Patricia Hacker, Chairman

David Stringfellow, Vice Chairman

David Bernas

Jonathan King

Bill McGirr

EXCUSED: Robert Chelus

Jeff Mendola

ALSO Brian Downey Town Attorney

PRESENT: Cathy Maghran Councilwoman ? Town Board Liaison

Richard Brox Planning Consultant

Chairman Hacker called the meeting to order at 7:33 PM and appointed Jonathan King to serve as a regular member for this evening's meeting.

### MINUTES

With three minor corrections made Mr. Stringfellow made a motion to accept the minutes of December 11, 2007, seconded by Mr. Bernas and carried.

### CORRESPONDENCE

Mrs. Hacker reported the following correspondence:

- ? Code Enforcement Officer Ferguson's December End of Month Report
- ? Deputy Code Enforcement Officers? Lisowski and Juda End of Month Reports
- ? Letter dated January 2, 2008 from Brien Hopkins requesting appointment to the Planning Board.

Mrs. Hacker asked that a letter be sent to Mr. Hopkins requesting an interview at 7:15 PM on January 22, 2008.

#### LIASION ? COUNCILWOMAN MAGHRAN

Mrs. Maghran: I don't have any report for this evening. I am very happy to be appointed as Liaison to the Planning Board; in fact I asked to be appointed to this Board. Right now I'm in a learning process and will appreciate any of your help.

Mrs. Hacker asked Mrs. Maghran to announce, at the next Town Board meeting, that alternate members are needed for the Planning Board.

#### 7346 BOSTON STATE ROAD

Mrs. Hacker read the correspondence:

? TVGA letter dated January 8, 2008 stating that they are just getting up to speed on projects in Boston including this project. Also stating that they have been in contact Christopher Wood, PE for the project; and with Foit-Albert, former Town engineering firm.

The Planning Board members, Mr. Downey and Mr. Brox reviewed the project, at length, to bring Mrs. Maghran up to date on the situation.

Discussion included:

- ? Schedule of Fees for site plan review and subsequent fees for any changes or modifications to approved site plan.
- ? Four conditions that were stated on the Temporary Certificate of Occupancy
  - o Sign permit
  - o Completion of exterior siding
  - o Variance for fire hydrant

o Placement of dumpster.

Mr. Downey suggested that a letter be sent to TVGA requesting a timeframe of their review of the project.

Mrs. Hacker asked Secretary Faulring to send a letter to TVGA, and to have Mr. Downey approve the letter, prior to sending it.

Mr. Downey will also call Code Enforcement Officer Ferguson to discuss the dumpster issue.

Mrs. Hacker advised the members of change or order in the agenda: next agenda item Election of Officers, the Brox Contract renewal discussion and lastly the Code Revisions discussion.

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ELECTION OF OFFICERS

Chairman Hacker: Are there any nominations for Chairman?

Mr. Stringfellow: I nominate Pat Hacker.

Chairman Hacker: Is there a second on that motion?

Mr. Bernas: I second.

Chairman Hacker: Are there any other nominations for Chairman?

Being no further nominations:

Chairman Hacker: Is there a motion for the secretary to cast one ballot for Pat Hacker for Chairman??

Mr. King: I'll make that motion.

Chairman Hacker: Is there a second on that motion?

Mr. Stringfellow: I second.

Chairman Hacker: All in favor the motion say Aye. All were in favor.

Chairman Hacker: Please cast one vote for Pat Hacker as Chairman for 2008.

So done.

Chairman Hacker: Are there any nominations for Vice Chairman?

Mrs. Hacker: I nominate David Stringfellow.

Chairman Hacker: Is there a second on that motion?

Mr. McGirr: I second.

Chairman Hacker: Are there any other nominations for Vice Chairman?

Being no further nominations:

Chairman Hacker: Is there a motion for the secretary to cast one ballot for David Stringfellow for Vice Chairman?

Mrs. Hacker: So moved.

Chairman Hacker: Is there a second on that motion?

Mr. Bernas: I second.

Chairman Hacker: All in favor the motion say Aye. All were in favor.

Chairman Hacker: Please cast one vote for David Stringfellow as Vice Chairman for 2008.

So done.

Mrs. Hacker: I would like to suggest that we postpone the election for secretary until we have more members present.

Everyone was in agreement of this suggestion.

#### RICHARD BROX ? CONTRACT RENEWAL DISCUSSION

Chairman Hacker asked Mr. Brox to leave the room and asked for discussion of the Board members.

Following discussion Mrs. Hacker made a motion to recommend, to the Town Board, renewal of Richard Brox's contract for 2008, seconded by Mr. Stringfellow and carried.

Mrs. Hacker asked for a motion to adjourn before going on to Code Revisions discussion.

Mr. Stringfellow: The past few discussions we've had on Code Revisions we've kept in the open meeting so that they would be included in the minutes, so we shouldn't adjourn at this point.

Mrs. Hacker: Fine I don't think we should change it now then.

#### CODE BOOK REVISION DISCUSSION ? CHAPTER 104 ? SUBDIVISION OF LAND

Mr. Stringfellow distributed a ??change? to the changes sheet.?

#### CHAPTER 97:

97-5 Conceptual Site Plan

Delete I

(new) 97-9 Approval of Final Site Plan

Add to the opening paragraph:

Following receipt of the recommendation of the Planning Board and the satisfaction of all applicable requirements of the SEQRA regulations of the State of New York, the Town Board shall approve?

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Mr. Stringfellow: We are now finished with Chapter 97.

#### CHAPTER 104 ? SUBDIVISION OF LAND

104-18 Specifications.

C. Additional final plat data.

(2) (revise to read)

All new development of subdivisions or planned unit developments (PUD) shall include a traffic study and report. The traffic study shall include, but not be limited to, street lighting at new roads that

intersect with existing roads, provisions for maintenance and protection of traffic and pedestrians in and around the project site during construction, and impacts to the existing traffic flow due to increased traffic caused by development. The Town of Boston will reserve the right to request additional information required in the traffic study.

104-19 Submission to the Town Board.

Delete this whole paragraph and mark ¶ 104-19 as ?Reserved.?

104-20 Public hearing.

(change to read)

The Planning Board shall compare the final plat with the approved preliminary plat, and, if in agreement, the Planning Board may call for a public hearing within 30 days of submission of the plat for final approval. Said public hearing shall be advertised in the newspaper of general circulation in the Town of Boston at least 10 days before such hearing.

104-21 Approval by Planning Board.

(change to read)

The final plat shall be approved or disapproved by the Planning Board within 62 days of receipt of the final plat or the public hearing on the final plat, whichever is later.

104-22 Signing of plat.

(change to read)

The Town Engineer and Highway Superintendent must sign the 3 reproducible prints of the final plat prior to its signing by the Planning Board Chairman.

Mr. Downey will check with Supervisor Eagan to see if he wants the Supervisor to be added to the signature list. If yes, Supervisor will be added to the paragraph following Highway Superintendent.

104-23 Applicant to record print at County Clerk?s

Change ?mylar? to ?reproducible?

Capitalize O in Erie County Clerk's Office?

104-24 Time for filing with county.

(change beginning of paragraph to read)

The final plat, as approved and signed by the Town Engineer, Highway Superintendent, and Planning Board Chairman, must be filed and recorded in the Erie County Clerk's Office...

Mr. Downey will check with Supervisor Eagan about addition of Supervisor to signature list. If yes, Supervisor will be added to the paragraph before Town Engineer.

104-25 Dedication and reservation of sites for public use.

(change to read)

- A. ?..reservation of such area with the subdivision in those cases?
- B. ?..reservation of such other areas or sites of a character, extent, and location suitable?
- C. As a condition of final approval?a recreation fee as set forth in the Schedule of Fees, per subdivision lot?

104-29 Streets.

(make minor corrections to the following:)

- C. Layout of minor streets. (change of opening sentence)
- H. Tangents. Delete ?of? following A tangent
- K. Radius of property at intersections. Change such to ?a? ? radius of 10 feet or a greater radius?

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104-29 (continued)

N. Length of dead-end streets. Dead-end streets shall not be longer than 800 feet, unless otherwise authorized by

the Planning Board.

(change to read)

O. Turnarounds at dead-ends. Dead-end street shall be provided at the closed end with a circular turnaround

having an outside roadway diameter of at least 120 feet and a street property line diameter of at least 160 feet

with all other dimensions as shown in (add reference here). All turnarounds shall be completely paved from the center out to the outside roadway diameter, so that there is no island in the middle of the circle, and shall be graded so that the pavement drains from the middle of the circle to the outside edges. If a turnaround of diameter greater than these minimum diameters is constructed, it shall be of the same shape as that shown in (add a reference to the drawing) with all dimensions scaled to the larger diameter.

Q. Street improvements. add the letter "a" between which and dwelling

S. Trees. add "when" following Except

T. Street names. (change the last sentence to read)

Street names shall be subject to approval by the Planning Board.

(Add new subsection V.)

V. Gutters and curbs. Highway Superintendent and/or Town Engineer to provide specifications to be included here.

(add new Section 104-27 A.)104-27 A. Replatting or resubdivision.

When the preliminary plat submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.

Subdividers shall provide, to the Town Clerk, 22 copies of all previous approved plans and sketch layouts of the subdivision or planned unit development currently under review. Said copies shall be distributed as specified in Section 104-10.

For any replatting or resubdivision of land, the same procedure, rules and regulations shall apply as prescribed herein for an original subdivision. No other procedure may be followed.

104-31 Easements.

C-2 Following discussion it was decided not to make any changes to the way the current code reads.

104-33 Lots.

G. Following discussion it was decided not to make any changes to the way the current code reads.

104-36 Creation of Drainage and/or Streetlight districts.(title change)

(change to read)

Where required by the Planning Board, requesting the creation of a drainage and/or streetlight district for the area included within the proposed subdivision.

104-37 Installation of streetlights; filing of plans.

(change to read)

Where regulations or the Planning Board require the installation of underground?

104-38 Subdivider to provide streetlighting.

(change to read)

The subdivider of a proposed subdivision with a streetlight district shall provide streetlighting within the subdivision, as determined by the Planning Board. Discussion continued.

Mr. Bernas made a motion to adjourn (10:07 PM) and to pick-up discussion with 104-38 at the next meeting, seconded by Mrs. Hacker and carried.

Respectfully submitted,

David Stringfellow

DOS:tjf Vice Chairman