

PRESENT: Paul Jusko, Chairman
Patricia Hacker, Vice Chairman
Tom Edington
Kevin Maxwell
David Stringfellow
Michael Pohl (Alt)

EXCUSED: Margaret Andrzejewski

ABSENT: J. David Early
Zintars Zadins

ALSO PRESENT: Councilman Damian Wiktor
Richard Brox, Planning Consultant
Roger Palczewski, Charlap's Dairy
Karen Diemunsch, Executive Director – Southtowns Rural Preservation Company
James Halfpenny, Architect - SRPC
Jennifer Wright and James Gehrke – Students from Hamburg HS Participate in Government Class

Chairman Jusko called the meeting to order at 7:31 P.M.

MINUTES

Chairman Jusko asked if there were any additions or corrections to the minutes of December 12, 2000. Being none, Mr. Stringfellow made a motion to accept the minutes, second by Mrs. Hacker. All were in favor.

CORRESPONDENCE

Chairman Jusko read the following:

- EAF form of Lake Tim Tam Condos South Creek Road, Town of Eden
- Request of Thomas Williams for three year extension of permit to operate Ham Radio antenna

LIAISON – COUNCILMAN WIKTOR

Chairman Jusko welcomed back Councilman Wiktor, a former Planning Board member, as the new Town Board liaison to the Planning Board.

Councilman Wiktor said it was good to be back and hoped to be helpful and informative to the members of this Board.

CHARLAP'S DAIRY

Chairman Jusko stated that a letter of concerns from this Board was sent to Mr. Palczewski. Vice Chairman Hacker lead discussion from this point, as Chairman Jusko was not at the December meeting when these issues were discussed.

Underground gas tank storage

Mr. Palczewski stated there are no longer any below ground tanks on the property, and that they were removed to DEC specifications.

Charlap's Dairy, con'tParking pattern

Mr. Brox commented that the existing building only allows 12.85 feet of access to the rear parking lot. He asked, how is the addition going to effect traffic around that corner.

Mr. Palczewski explained that with the purchase of the Charlap home, which will serve as office, the pool has been filled in; a wider path has been cut between the building and the fence; and moving the existing fuel storage tank would give an additional five feet of space in this area.

Mr. Palczewski added that the early onslaught of winter weather prevented a more complete renovation to be done in the parking lot. At present seven trailers have been removed, and employee parking has been moved to the location behind the office location.

Mr. Palczewski said that most deliveries are made before the store opens. A yard horse was purchased to move the trailers in and out when there is less traffic. He further explained that the purpose of the addition is to put the trailer inside and close it when deliveries occur during business hours.

Mr. Brox said that a site plan would need to be received by this Board showing: driveways, ingress/egress, customer parking, handicapped parking if necessary, employee parking, curb cut and traffic flow for retail customers. He advised Mr. Palczewski to follow Section 97.4 of Town Code, which can be obtained from the Town Clerk. The plan that has been submitted and being reviewed is acceptable as the preliminary plan. Mr. Brox added that with this opportunity this Board would like to see some improvements made in the current 'helter skelter' parking arrangement. Mr. Palczewski said that the front part of the property is owned by New York State. Mr. Brox said that Charlap's owns 13.39 feet at one point and 11.42 at another point; New York State has only taken a small triangle portion to install a sanitary manhole.

Traffic and Tractor Trailer accessibility

Mrs. Hacker asked if the tractor trailer traffic has increased. Mr. Palczewski said no, possibly just more noticeable because the trucks are larger.

Mr. Maxwell asked the approximate overall length of a tractor-trailer. Mr. Palczewski said about 50 feet. The addition will allow the trailer to be removed and the tractor to pull away during unloading.

Mrs. Hacker asked about change of use. Mr. Brox stated that Town Attorney Perley had brought up that issue, and that is why more intensive site plan is being requested. Because the change of use all parking has to be shown; and the traffic pattern has to be shown.

Mr. Palczewski asked how this Board is determining that there is a change of use. Mr. Maxwell said that it is no longer a dairy; that is now manufacturing and distribution. Mr. Palczewski disagreed with this statement. Mr. Brox suggested that Mr. Palczewski speak to Mr. Perley. Mr. Palczewski said that Charlap's was always a distribution Center, a facility that took in raw milk and made it into products that were made available to the public.

Chairman Jusko suggested that Mr. Perley be given an opportunity to clarify the statement he made, at the next Planning Board meeting. He added that this Board does feel that it is a significant enough change to the use of the property and should be addressed, by submitting the appropriate site plans and following proper procedures.

Mrs. Hacker made a motion table this matter until request for further information is received. Second by Mr. Maxwell. All were in favor.

SOUTHTOWNS RURAL PRESERVATION COMPANY

Chairman Jusko read Mr. Brox's letter of January 9, 2001.

Chairman Jusko asked if the site plan submitted is for conceptual review only. Ms. Diemunsch said yes.

Southtowns Rural Preservation Company, con't

Chairman Jusko asked Ms. Diemunsch for an overview of SRPC and proposal:

- Acquired building from League for the Handicapped in 1980
- Created three apartments, completed in 1991
- New York State feels that additional units would make it more financially feasible
- Applications for State grants must be in by February 21, 2001, but may be some time before approved and funding is received

Chairman Jusko asked if the additional units would be built before or after tenants are known. Ms. Diemunsch said that when submitting grant request a market study must be done. The market study indicated that there is sufficient need to build these units.

Chairman Jusko asked what company did the market study? Ms. Diemunsch said Economic Development from Grand Island. Mr. Jusko asked for a copy of this study if possible.

Mr. Brox said that 99% of preliminary plan is already indicated on the site plan submitted.

Additional description would be necessary for parking layout for 24 spaces; handicapped parking indicated; and additional landscape.

Mrs. Hacker asked about soil boring test, is that for septic system?

Mr. Halfpenny explained that it is for structural purposes, as units are being built on top of existing structure.

Mr. Stringfellow asked about accessibility to apartments, in particular the rescue squad, as there is no overseer of property on premises. Ms. Diemunsch said for privacy reasons keys are not available at this time to the apartments, but this situation is going to be addressed with the additional units. Mr. Halfpenny said that on some senior projects that a 'voice activated entry system' was installed which worked out well.

Chairman Jusko stated that this R-3 zone does allow this type of project but he did express his concern about the amount of rental property already in the Town of Boston.

Mrs. Hacker made a motion to recommend to the Town Board, approval of the Conceptual Site Plan submitted by Southtowns Rural Preservation Company, with the understanding that should the project move forward, the applicant will need to meet the Town Code requirements for site plan approval. Second by Mr. Edington. All were in favor.

THOMAS WILLIAMS PERMIT EXTENSION

Chairman Jusko stated that the 1997 local law had been amended after review and comment by the Planning Board; upon applicant demonstrating that he/she does possess a valid license, and the radio antenna is defined by the FCC; ; and as Mr. Williams' does have a valid license, and has met all requirements asked for a motion. Mr. Stringfellow asked if the neighbors needed to be notified. Chairman Jusko said, no this is a renewal and not a new application.

Mr. Maxwell made a motion to grant a three-year extension to Mr. Williams for a permit to operate a Ham Radio antenna, as set out in Town Code. The motion was second by Mr. Stringfellow. All were in favor.

MASTER PLAN UPDATE

Chairman Jusko said the next Master Plan meeting is scheduled for February 1, 2001. Mr. Maxwell added that at the last meeting a resolution was passed that the Town Board be the Lead Agency for the Environmental Assessment.

ELECTION OF OFFICERS

Chairman Jusko asked for nominations for Chairman. Mr. Maxwell nominated Paul Jusko for Chairman. Second by Mr. Edington. Chairman Jusko asked if there were any other nominations. Being none, Mr. Stringfellow made a motion for the Secretary to cast one ballot for Paul Jusko for Chairman. Second by Mr. Edington. The members voted in favor of this motion. The secretary was directed to cast one ballot for Paul Jusko as Chairman for 2001.

Chairman Jusko asked for nominations for Vice Chairman. Mr. Jusko nominated Patricia Hacker for Vice Chairman. Second by Mr. Edington. Chairman Jusko asked if there were any other nominations. Being none, Mr. Jusko made a motion for the Secretary to cast one ballot for Patricia Hacker for Vice Chairman. Second by Mr. Maxwell. The members voted in favor of this motion. The secretary was directed to cast one ballot for Patricia Hacker as Vice Chairman for 2001.

Chairman Jusko asked for nominations for Secretary. Mrs. Hacker nominated Kevin Maxwell for Secretary. Second by Mr. Jusko. Chairman Jusko asked if there were any other nominations. Being none, Mr. Jusko made a motion for the Secretary to cast one ballot for Kevin Maxwell for Secretary. Second by Mr. Edington. The members voted in favor of this motion. The secretary was directed to cast one ballot for Kevin Maxwell as Secretary for 2001.

CODE ENFORCEMENT OFFICER

Mr. Kramer said that there are two outstanding projects:

- Brunner Eatery – Mr. Kramer has heard nothing from Mr. Brunner
- Evans Bank – Councilman Wiktor stated that the Town Board had a concern with the drainage. They are waiting for a review from Town Engineer Harris, who is waiting for the drainage plans.

Mr. Kramer asked what is going on with the Anthony Bernardi/Willow Drive project. He has been approached by two of the Councilmen with some concerns; and, also by the DEC. Mr. Kramer also said that he has had calls from the Cable Company asking for completion dates so they can install cable.

Mrs. Hacker said that Mr. Bernardi was at the Planning Board meeting on December 12, 2000, talked to Mr. Perley and left prior to the meeting being called to order. That is why there is no mention of his presence in the minutes. The discussion between Mr. Perley and Mr. Bernardi was not discussed following his departure at that time. Mr. Kramer said that this project would have drainage problems and that Mr. Bernardi's property is also in the flood plain.

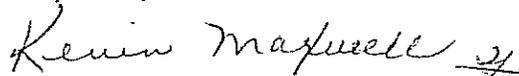
Mrs. Hacker asked if three additional lots constituted a sub-division. Mr. Kramer said yes.

Mr. Kramer said that he has had some communications with the Councilman Tills, who has been in contact with the DEC, and, the DEC is not at all in favor of any building being done at that location.

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

Being none, Mr. Stringfellow made a motion to adjourn the meeting at 8:25 P.M. Second by Mr. Pohl. All were in favor.

Respectfully submitted,


Kevin Maxwell
Secretary