

**PRESENT:** Patricia Hacker, Chairman  
David Stringfellow, Vice Chairman  
Margaret Andrzejewski  
David Bernas  
Richard Hody  
Jeffrey Mendola  
Michael Pohl

**EXCUSED:** J. David Early

<b>ALSO:</b>	Dennis Kramer	Code Enforcement Officer
<b>PRESENT:</b>	Frank Lisowski	Deputy Code Enforcement Officer
	Kelly Vacco	Town Attorney
	Richard Brox	Planning Consultant
	Brien Hopkins	Councilman – Town Board Liaison
	Karl Simmeth	Councilman
	Steve Kohler	CVS Pharmacy
	Scott Kinsman	Foit-Albert Associates
	Ronald Bough	Foit-Albert Associates
	Doug Merritt	CVS / SES
	Jim Ryan	RYCO / CVS
	Paul Speich	CAC Liaison
	Dana Darling	Darling Subdivision

Prior to the start of the meeting Chairman Hacker took a few minutes to welcome the new members and to introduce the current members to Mr. Bernas and Mr. Hody.

Chairman Hacker called the meeting to order at 7:38 PM.

**MINUTES**

Mrs. Hacker asked if there were any corrections or additions to the minutes February 24, 2004.

Mr. Hody: on page 2 about ¼ down the page, Mrs. Hacker: ‘the only change there is, is one the south side of the building...’ one should be changed to read ‘on the south side of the building.’

With that correction, Mr. Stringfellow made a motion to accept the minutes, seconded by Mr. Bernas. All in favor.

**CORRESPONDENCE**

Secretary Pohl reported the following correspondence:

- Received Town Directory of Officials and Board member lists
- Received Federal, State, and County Officials list
- Other correspondence to be read at agenda point.

**LIAISON – BRIEN HOPKINS**

Mr. Hopkins reported from the Town Board meeting of March 3, 2004:

- Referred Special Use Request from Marcia Baeumler to Planning Board

**7170 BOSTON STATE ROAD – CVS PHARMACY**

Mr. Pohl reported the correspondence:

- Letter dated February 27, 2004 to Mr. Brox, from the Planning Board requesting his review and written opinion of submitted plan
- Letter dated February 27, 2004 to Foit-Albert, from the Planning Board requesting his review and written opinion of submitted plan
- Letter dated March 4, 2004 from Richard Brox
- Letter dated March 5, 2004 from Scott Kinsman at Foit-Albert Associates
- Letter dated March 8, 2004 from Scott Kinsman at Foit-Albert with additional concern at proposed building site

**7170 Boston State Road – CVS con't.**

Mrs. Hacker recapped the CVS project:

- Received CVS package, and first met with CVS reps on February 10, 2004
- As a Board, we relayed to those from CVS that this is not the look that we want
- Too much signage
- Was not in keeping with what we wanted to work with as far as the Master Plan, and what we wanted for a look in Boston
- CVS returned with a change, the only visible change was the deletion of 55 square feet of signage
- CVS: 'that's the look we want, that's the way we are going to go'
- Issue tabled at last meeting
- Mr. Ryan was unable to attend previous meetings and sent Mariann Hooper as representative
- Mr. Ryan had not been kept fully informed of this Board's concerns
- Mr. Ryan and I met yesterday. We left that meeting with the agreement that we would meet again with the Planning Board.
- He agreed to come this evening with others associated with the project in order to keep the project going forward, rather than the Planning Board returning it to the Town Board
- There is also a drainage issue, with this 30" pipe on site, but not addressed on the plans
- Supervisor Eagan could not attend the meeting this evening
- Mr. Brox has done significant research and will relay his findings and opinions as we go on

Chairman Hacker: are there any questions or comments from the Board before Mr. Ryan's presentation?  
Being none, Chairman Hacker introduced Jim Ryan.

Mr. Ryan introduced Steve Kohler from Arcadis and Doug Merritt, the sign consultant for CVS.

Mr. Ryan: I work for a developer in Rochester called RYCO Management. I, together with a company in Milwaukee are a preferred developer for CVS, we are not employed by CVS. Early on we started to scout this region when we knew there was going to be a relocation. We want to do this in the right way and the way the Town will be approving. In reading the minutes, I guess there are some engineering issues and some signage issues. Hopefully Steve and Doug will be able to address those questions that are outstanding.

Mr. Kohler: Basically the main problem with the engineering is detention. We've got a couple different scenarios; the Town will allow us to flow a little more water than we planned. Some of the calculations are different than what was thought. We don't have a problem retaining the amount of water required to make things happen. There is sufficient volume in that detention pond to store another foot in there. The 30" inch pipe, it sounds to me that you have some drainage problems down stream, is that something you want us to fix?

Mrs. Hacker: We don't have a problem with downstream, there's currently an existing 30" pipe that's in the middle of the site plan.

Mr. Kohler: It'll run right under the building, that's not going to happen, I'll have to relocate that.

Mrs. Hacker: introduced Scott Kinsman, Town Engineer from Foit-Albert. My understanding is that drain comes from across Boston State Road, and therefore has to continue in that path?

Mr. Kinsman: absolutely, it has to be rerouted.

Mrs. Hacker: do you have to maintain the 30"?

Mr. Kinsman: they will have to determine that.

Mr. Kohler: I will maintain whatever flow is capable of going through there right now.

Mrs. Hacker: I understand we've had a lot of thawing...

Mr. Kinsman: It was running when it was dry.

Mr. Bough: There's flow coming out of there...

Discussion between Mr. Kinsman, Mr. Bough, and Mr. Kohler.

Mr. Kohler: whatever it takes to make you happy, we'll get that to happen. The only other item we have is that we need to get approval from the Erie County Sewer district, and basically things will go forward from there.

Mrs. Hacker: we also need to address the retaining wall on the west side of the property, where do we stand with that. At the last meeting Steve, you said that you were thinking of grading. Mr. Kinsman we would like your input on that.

**7170 Boston State Road – CVS con't.**

Mr. Pohl: Referring to the retaining wall on the west side of the property, on sheet CE-02 it is noted as off grading rights in this area alternative, install retaining wall. It is showing the drainage sloping down into the adjoining property.

Mrs. Hacker: That's something you can discuss and bring back to the next meeting.

Mr. Bough: What is the question.

Mrs. Hacker: That the retaining wall is much more desirable for the Town rather than the grading. The remainder of that property is not going to be used; they do own that existing property, in the event that changes, does that leave us open to the division line. Past experience is that a retaining wall is much more sufficient than grading. It is on the plans where it says alternate. The existing property line should be made clearer, so that it is easier to determine the amount of room for grading.

Mr. Pohl: The adjoining property owners should be identified on the survey and also on the site plan.

Mr. Stringfellow: (verified the property line) So what your proposing is that if it's okay with this property owner, you would grade, and if it's not okay you would put in a retaining wall.

Mr. Kohler: Correct.

Mrs. Hacker: I don't want to leave us open to that; that property ownership could change. If there is a drainage situation, we want to address it now with more than just grading.

Mr. Kohler: Typically when they treat the off site grading on a deed, an agreement gets registered with the land registry board.

Mr. Hody: How would the drainage go then if it grades down, is there any slope through there, what would the impact be?

Mr. Kohler: It would basically seep flow across his grass the way the drainage is currently.

Mrs. Hacker: The drive thru wouldn't change that?

Mr. Kinsman: There really is no impact.

Mr. Brox read his recommendation, the bulk of it addressing the non-conformance of proposed signage.

Mr. Brox described pictures of several existing CVS signs around the WNY area. He also displayed and described a 'preferred sign.'

Mr. Ryan: Mr. Merritt will address the signage issues. We had a meeting with CVS and the one thing that I want to impress is that 'we want to meet the code.' I did almost the same drive around WNY, and you see that most of these buildings are in-line or small and not very attractive. CVS wants to project a better image.

Mr. Merritt, CVS sign consultant: distributed and described new sign proposal page by page.

Mrs. Hacker: Mr. Ryan verified that this store is not going to be a 24-hour store, which will limit the amount of lighted signage.

Mr. Ryan: It will operate with the standard hours, which will be 9:00 A.M. – 10:00 P.M. Monday through Saturday, and 10:00 A.M. – 8:00 P.M. on Sunday. Those lights will be on a timer, and may not be set to go off exactly at closing, they might be set to go off 20 – 30 minutes after closing.

Mr. Ryan: We have removed ancillary service along the longer elevation which would be Zimmerman, and we respectfully request just two service signs along Boston State Road, they're not illuminated and they are 18' in height.

Mr. Ryan continued detailing the book – the mounting, the material and the overall dimension. With this being a free standing store, we would like to have it present a drive thru pharmacy letter set to be able to project to Boston State Road, it depends on operations, they may want to go with the one hour photo or possibly the food shop.

Mr. Brox: You've done away with the ground signs?

Mr. Merritt: No, actually we are showing one ground sign and it is a revised height scaled down version of what was initially proposed, and that would be for Boston State Road.

Mr. Brox: That's a pole sign. The ground signs on the other plan were about 8' high that projected into the right-of-way.

Mr. Lisowski: They referred to those signs as monument signs.

Mr. Merritt: Do you have any questions?

Mrs. Hacker: The drive thru signage, is that on the overhang of the drive thru?

Mr. Merritt: it's a 9-inch letter with a 7-inch letter beneath that indicates a full service and a drop-off.

**7170 Boston State Road – CVS con't.**

Mr. Stringfellow: You have the large drive thru pharmacy sign, right beside it you have a drive thru pharmacy sign, could you make this sign big enough to do the function of that, and get rid of one sign?

Mr. Merritt: I'm sure with a nine-inch letterhead, we can certainly accommodate you. I think with the set back of the drive thru canopy the nine-inch letter will be virtually undetectable, from that roadway.

Mr. Brox, looking at the site plan: the drive thru pharmacy, full service and drop off only, is to the rear of the building. You can't see it from the road. Going south on Boston State Road you won't see it because other buildings are in the way. This is set back so that people know which lane to pull in, it's not on the front of the building.

Lengthy discussion followed amount of signage, what could/should be eliminated.

Mrs. Hacker: There will be specific list determined and noted for the minutes before any recommendation is made, just so that there is no question.

Mrs. Hacker: I had a concern with the big sign on the building. CVS feels that they are giving Boston a high-end building. I discussed this with Mr. Brox and he suggested that if we went to an awning type look and in-between the pillars that are existing on our plan, the all brick frontage, possibly putting the awning type look on there to bring it down, but not changing the façade in any way, that would dress it up.

Mr. Ryan: CVS is truly trying to put their updated imprint in the Buffalo area; this is a block building, which is kind of a prototype, which is not the best. We did convince CVS to go to the larger, 10,880 foot, store and spend the additional \$\$\$ to brick and create the posts in front. We talked about a more traditional roof, a roof that would match the bank; and CVS was very adamant, 'this is what CVS wants to brand.' This is the current upgraded investment. 'For us to tell corporate that we are going to start to modify these buildings, it's not what CVS would like.' We told them that we really want to work with the Town. We talked about awnings, about goose-neck lighting off the building, the retaining wall so that it's a win-win deal all the way around. But this is what their branded image is across the nation; this is a top of model building and store right now.

Mrs. Hacker: I was also told that frontage also has a purpose other than just a sign, it hides heating and air conditioning units.

Mr. Brox: This picture is an artist's rendering, and isn't as bad as it appears, that isn't an approval.

Mr. Ryan: If we could start these discussions tomorrow we can move forward on this.

Mrs. Hacker made a motion to table further discussion until the meeting of March 23, 2004.

Mr. Bough: Just one thing, there are no erosion sediment control details connected with this site plan right now, it's not required. If the site does qualify under the New York DEC requirements, it does fall in the category of requiring a Phase II Construction Permit and all of those details will be required at that time, so there is a lot of additional engineering details. They are not required for the site plan, but they will need to be presented prior to construction approval, it really does deal with the construction process. I just want to make them aware of that.

Mr. Ryan: That is something we can start talking about tomorrow.

Mrs. Hacker recapped: we're going to work on:

- Signage issues
- Engineering issues
- Proposed change of the front of the building as far as awnings
- Drainage – grading versus retaining wall

Mr. Stringfellow: If you come in from Zimmerman Road, you can drive across the back of the building and into the drive in pharmacy in the wrong direction. I can see on their rear side view that when you get clear around the building then you can see the sign that this is the exit. Can we do something to keep people from going around in the wrong direction?

Mr. Ryan: We will actually have a do not enter sign.

Mr. Brox: On your Boston State Road entrance, there is a tighter design pattern of pulling off of Boston State Road with a semi tractor-trailer that cuts across the grass. I think it might be necessary to take a look at the radius of that driveway entrance.

Mr. Kohler: We can take a look at that.

Mrs. Hacker: Where is loading/unloading taking place?

7170 Boston State Road – CVS con't.

Mr. Kohler: In the back of the building off Zimmerman Road. And the drive thru showed that the truck can make it all the way around.

Mr. Lisowski: Did you check to see what the weight limit is on Zimmerman Road for the tractor-trailers? It's a county road so it should be okay, but still should be checked out.

Mrs. Hacker: The revisions need to be at the Town Hall by Friday, Marcy 12, 2004 to be mailed prior to the meeting.

Mr. Stringfellow seconded the motion to table discussion. All in favor.

PROPOSED DARLING SUBDIVISION

Secretary Pohl noted the following correspondence:

- Letter dated February 27, 2004 to Richard Brox requesting a review and written reply for this project
- Letter dated March 1, 2004 to Supervisor Eagan requesting him to be in attendance at tonight's meeting
- Letter dated March 1, 2004 to Scott Kinsman at Foit-Albert requesting him to in attendance at tonight's meeting
- Response dated March 4, 2004 from Richard Brox
  - A copy of this was given to Mr. Darling

Mrs. Hacker: It has been brought to my attention that this area could have an Indian burial ground on it.

Mr. Darling: An archeological study is being done, and has been going on for some time, but now is being held up because of the weather. Phase I is done and are now moving onto Phase II.

Mr. Brox read his letter of March 4, 2004.

Mrs. Hacker: Are you going to change lot sizes and make them larger?

Mr. Darling: The lot sizes are set. It's required to have 20,000 square foot minimum in R-1. Not really possible, because we are restricted because of the wetlands.

Mrs. Hacker: Not all, but some maybe 10 lots into 5 so they are not all the same size, this has been recommended by the Town Board.

Mr. Darling: That's not really feasible.

Mr. Brox: If the Town Board doesn't like the lot sizes or the layout, they can send a recommendation back to this Board to request a modification to the plans. The difficulty is, if the lots meet the Code requirements for R-1 it's set. However the Town Board can relay 'we don't like it and we won't rezone it.' They have the final say when it comes to rezoning.

Mr. Hopkins: It has only been mentioned. No one has really had any discussion about it.

Mrs. Hacker: It was relayed to me that the feeling was if 5 of the lots were made larger than the rest that would tone down the number of families, and the amount of impact, and they felt it was something that the Wildwood neighbors would appreciate and in the long run, better for all of us. People will pay more for a bigger lot. We don't want to cause you a hardship, but it may turn out to enhance the development.

Mr. Brox: Eliminating 5 lots and making it 22 lots makes sense.

Mrs. Hacker: We do need lot sizes noted.

Mr. Brox: I also would like to see lot 4 changed, because no one is going to buy a point that goes to nowhere next to lot 5, that's in Phase II. That could be one combination, lots 4 & 5.

Mr. Darling: At the last meeting we discussed leaving the road where it is, and creating a berm, with plantings, from the topsoil stripped from the road.

Mr. Brox: The Code says to align centerlines whenever it can be done. An offset intersection should avoided whenever possible; it can be avoided by staying with in the right-of-way and curving Road A to line up with the centerline of Omphalius.

Mr. Hody: When the County reviews the curb cut, they will want the roads aligned.

Mr. Darling: What is the distance for an offset intersection?

Mr. Brox: 125 feet, at minimum, and you can't meet that either. It's easier to curve the road to meet Boston State Road at a 90-degrees instead of at an angle. You're still in the right-of way and haven't moved anything except the pavement.

Mr. Brox and Mr. Darling continued discussion on alignment of the proposed road and Omphalius Road.

**Proposed Darling Subdivision, con't.**

Discussion followed about safety issues if the roads align or don't align.

Mr. Stringfellow: I would like to suggest that the new road, if aligned, should be named Omphalius Road, instead of another newly named road.

Mrs. Vacco: Omphalius Road is a County Road and this new road will be a Town Road. You can't have two roads, owned by two different municipalities with the same name. I will look into this, but I doubt it will be allowed.

Mr. Brox: Mr. Darling, I would recommend that you name this Road so that you can progress along with this, don't wait until the final site plan is submitted.

Mr. Mendola: Have you made any decision as to reversing the Phases and do Phase 1 first?

Mr. Darling: I will reverse the phases and work from the top down or do the whole thing at once, not certain at this time. Much will depend on when it's approved and how the budget is.

Mr. Simmeth: Will you have the road and the utilities in?

Mr. Darling: I'm going to have to run the sewer and everything else, but I'm not going to pave the bottom half.

Mr. Bough: Reversing the phases, without constructing them all at once, does present some drainage concerns. Getting that water from Phase I, down to what you ultimately decide on for a retention area, that would have to be...

Mr. Darling: That's why I would plan to do everything except the blacktop.

Mr. Darling: Are we getting close to what you need to see? With Mr. Brox's letter, could I have my engineer move on and have him make the final adjustments, so that maybe at the next meeting I can possibly get an approval?

Mr. Bough: Be sure to review the Foit-Albert letter. A copy of this review, dated February 23, 2004 was given to Mr. Darling.

Mr. Brox: Those revisions, from your engineer would have to be at the Town Hall by Friday. You're looking at a month from now, but you can still get your approval in time to start spring construction.

Mrs. Hacker: What about the recreation requirements?

Mr. Brox: The Town Planning Board has the option of requiring 10% of the subdivision for a playground area or waiving that and letting the fee go to the Recreation Bond Fund, on a per lot basis.

Mrs. Hacker: I would like to see a playground right in the area, rather than children on the State Road.

Mr. Stringfellow: That, then becomes Town property and the Town is liable and has to maintain it, and all that other stuff.

Mrs. Vacco: The per lot fee is in the Code.

Mr. Brox: That money can only be used for recreation, it doesn't go into the General Fund.

Mr. Simmeth: How did you leave the road issue?

Mr. Brox: He is going to try to align.

Mr. Stringfellow: I make a motion to table until the next set of revised plans are received, seconded by Mr. Pohl. All in favor.

**TOWN ATTORNEY VACCO'S LETTER TO GARY ECKIS**

Chairman Hacker asked Mr. Pohl to read the memo from Mrs. Vacco.

Mrs. Vacco: May I recap first:

- Originally your request was to go back and determine the cul-de-sac issue, when the discussion was held; when the request was made, and what conditions were placed on it.
- At one point in time Mr. Eckis approached the Board and wanted to modify the subdivision and add a building lot. That would have required driveway access to that 't' turnaround, and at that time you said, 'no' additional building lots until you put in a cul-de-sac. That's when the issue of a cul-de-sac came up.
- The original map cover was approved with the 't' turnaround.
- I have obtained a signed easement for the pond.
- Mr. Eckis proposed to combine the 6-acre parcel, with the pond, and the 20-acre parcel, under separate deeds which would not require him to come to the Planning Board to modify his subdivision. However, the owner wants to build their home on the 20-acre parcel. I had told Mr. Kramer that was not a buildable lot.
- I have called Albany, and talked to land use specialists, and they agreed it is hence to circumvent modifying a subdivision. I informed Mr. Eckis that he couldn't do that.

Town Attorney Vacco's Letter to Gary Eckis, con't.

- The next proposed solution was to add 75' of frontage on Rice Road to this back parcel, making it a buildable lot.

Mrs. Hacker: this Rice Road frontage only, driveway?

- That's not what Mr. Eckis wanted to do. Now the Tuttle's (proposed landowners) attorney wants everything in writing before they will allow their clients to sign a contract. I advised them that is an accessory, for that subdivision lot. You can't have that be the principal use of the subdivision lot. I told him if you just want to have a driveway on there, you would need to get a variance. He does not want to get involved in that.
- I have always told Mr. Eckis the cleanest way to do this is simply modify the subdivision.
- Mr. Eckis is now proposing to add the 20 acres and, it essentially becomes a 25-acre parcel as opposed to a 5-acre parcel. The driveway is still coming on to Deer Run, not the 't' turnaround; as if he were to simply sell the 5-acre lot with the pond on it. It's just to accommodate the landowners who want to build a house off the road. So now that becomes a Planning Board issue. He's not adding a buildable lot to the 't' turnaround, he's just making one of the already existing approved lots bigger, in the back so the landowner can get to the back of that lot and build the house. That's really the only legal way that the landowner can build back there.

Mrs. Hacker: At that point it's a no, unless he fixes the 't' turn?

Mrs. Vacco: That 't' turnaround needs to be fixed regardless; I don't think that even needs to be a condition. I have told Mr. Eckis that the 't' is not paved the way it is supposed to be, it's supposed to be a small 't'; and it's supposed to be paved to highway specs and as soon as weather permits.

Lengthy discussion followed with same comments being made as have been made on several occasions previous: finishing the 't' turnaround; driveways coming off of the 't' turnaround; are additional driveways going to be allowed to come off the 't' turn around; and subdivision lot lines.

Mr. Pohl: Seeing as Mr. Eckis has submitted a lot of revisions and a lot of drawings, can you get a copy of the approved original map cover for each of us to look at?

Mrs. Vacco: Yes, I will.

Mrs. Vacco: You have two issues before you: the first is that ask the developer to submit additional information, and make a formal request to modify the lot with the pond on it by adding 20 acres; issue #2, which may help in your decision about #1 would be a clarification from Highway Superintendent Kreitzbender as to the current status of driveways off of the 't' turnaround.

Mr. Stringfellow: I would suggest that we take the only opinion that we have ever received from Mr. Kreitzbender, and go with it. If that's what Mr. Kreitzbender said why should we ask him to change his mind.

Mr. Stringfellow: I make a motion to send a letter to Mr. Eckis informing him that when 't' turnaround is completely paved as shown on the approved subdivision map cover; is paved to Town specifications; and is approved by the Highway Superintendent, then we will consider his request to change the subdivision, seconded by Mr. Mendola. All were favor.

DISTRIBUTION OF TOWN BOARD REFERRALS

Chairman Hacker: Please note that we have received the Special Use request for 5786 Herman Hill Road, submitted by Marcia Baeumler, and that it has been distributed to the members for their review.

3/23/04

CODE ENFORCEMENT OFFICER KRAMER

Not in attendance.

Chairman Hacker: Anything else for the Board this evening?

Mr. Mendola: As far as that flowers, restaurant, chemical place – do we have anything back, especially the scale drawings? I looked at that again and his drawing does not match in any way shape or form the way that place is actually laid out.

Mrs. Hacker: Mr. Kramer forwarded a letter stating that a fire wall was installed in January of 2001, but my concern is 'was that powder coating business there at that time, is that the reason this was installed? That I don't know.' We have received nothing from Mr. Barrett.

Mrs. Hacker asked Mrs. Vacco to send Mr. Barrett a letter asking him to submit a reconfiguration of the parking drawn to scale; failure to do so could result in not extending the 90 day temporary certificate of occupancy.

Chairman Hacker: Is there anything else?

Mr. Mendola: The sign on the wheels in front of Nick Charlap's, the temporary sign that's been up there forever, does he have a permit?

Mr. Lisowski: Yes, he does. A new year has started and it's the first sign he's had this year. He is allowed two temporary thirty-day permits per year.

Mrs. Vacco: Actually you're lucky if you can hold him to the two, because I believe that the Code is silent to how many times you can apply for a temporary sign permit.

Mr. Mendola: Where do we stand with all the rest of the stuff that he did that does not comply with the original approved site plan? He was supposed to come back to us with a revised as-built site plan.

Mrs. Hacker asked Mrs. Vacco to send a letter to Nick Charlap asking him to submit this as-built site plan.

Chairman Hacker: Is there anything else?

Mr. Simmeth: Mr. Brox, on the one lot up there sold, 55.66 through the rezone, where he's only got Town frontage on the 't', it was mentioned that they could go to the Zoning Board of Appeals and request a variance,

Mr. Brox: He doesn't need one, this was done on purpose so that he could go this way, this way and this way that it meets the frontage requirement for a driveway.

Mr. Simmeth: But he can't put a driveway in within 50 feet of the 't'. Am I understanding that right?

Mrs. Vacco: That is what the Highway Superintendent has said here.

Mr. Brox: Then Dinse has the same problem.

Several discussions around the room.

Mr. Simmeth: You're going to get to the point where you're going to have people running driveways off there, that people who bought those lots are going to start complaining, and the Town's going to end up fixing that by putting a cul-de-sac in there. If they go to the Zoning Board of Appeals and ask for a variance, they're the ones creating a hardship, the Town didn't create a hardship, they created their own hardship. I think this Board should stick to your guns on this as far as the cul-de-sac.

Mrs. Hacker: We were told that we can't make him put in a cul-de-sac, how can we stick to our guns.

Mr. Simmeth: As far as letting him put driveways in off that 't'. Where's the highway crew going to put the snow.

Lengthy discussion followed.

Mrs. Hacker: Can we tell him that he can never put a driveway for the Dinse lot or the 56.66 acres?

Mrs. Vacco: Let me research this and I will report back to you at the next meeting.

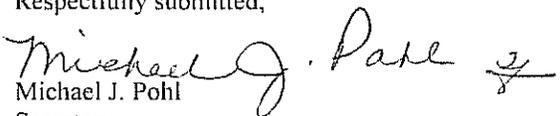
Mr. Hopkins: Did Wayne accept that 't'?

Mrs. Vacco: At the time that the subdivision was approved, it was approved with a small case 't', the road was accepted, it was signed off by the, then, Highway Superintendent and was signed off by the engineers. So it was not just the Planning Board that let it get by, it was a whole host of people. Discussion followed.

Chairman Hacker asked for a motion to adjourn.

Mr. Mendola made a motion to adjourn at 9:28 PM. seconded by Mr. Stringfellow. All in favor.

Respectfully submitted,

  
Michael J. Pohl  
Secretary