

PRESENT: Paul Jusko, Chairman  
Patricia Hacker, Vice Chairman  
J. David Early  
Tom Edington  
Kevin Maxwell  
David Stringfellow  
Zintars Zadins  
Margaret Andrzejewski, Alternate  
Michael Pohl, alternate

ALSO Town Attorney Michael Perley  
PRESENT: Code Enforcement Officer Dennis Kramer  
Richard Brox, Planning consultant  
James Carr – P.O. Box 252 N. Boston  
Joseph & Robin Mead – 7211 Boston State Road, N. Boston  
Jerry Ruhl – Architect for Evans National Bank  
James Tilley – Executive Vice President – Evans National Bank

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 of August 22, 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 correspondence :

- Letter of August 1, sent to the Boston Town Board regarding temporary placement of trailer at Charlap's Dairy
- Notice Planning and Zoning Conference on October 15, 2000 in Ellenville, N.Y.

**EVANS NATIONAL BANK SITE PLAN**

Chairman Jusko read letter sent to Mr. Ruhl and Evans Bank acknowledging receipt of site plans and inclusion on the agenda for September 12, 2000.

Mr. Ruhl and Mr. Tilley introduced themselves to the Board.

Mr. Ruhl explained that the proposed building is to be situated on the corner of Boston State Road and Herman Hill Road; and after several studies the building is best situated as a drive thru facility. He added that the site would be preserved as best it could be, and that the lot is very level so drainage should not be a problem.

Chairman Jusko asked about front elevation and proposed lighting. Mr. Ruhl said that lighting was indicated on the site plan submitted. The light standards will be 12 feet high. Mr. Brox asked that the height be indicated on the plans.

Chairman Jusko also asked for details on the construction materials. Chairman Jusko asked the size of the proposed building compared to the existing building. Mr. Ruhl said the new building would be 36 feet wide and 80 feet long. The existing building is about 1700 square feet.

Mr. Early asked what the plans are for the existing building. Mr. Ruhl said he did not know, as Evans only rents the building they do not own.

Mr. Stringfellow said the plans only indicate 68 feet, not the stated 80 feet. Mr. Ruhl said the completed building will be 80 feet.

Evans National, con't.

Mr. Perley asked Mr. Ruhl if he was aware of quicksand problem that was discovered at a proposed apartment complex site south of where the bank is to be constructed, and also to the north of the mobil station. That problem caused the apartment project to be abandoned. He asked Mr. Ruhl if any soil borings had been done at the site of the proposed Evans Bank building. Mr. Ruhl said they had done test holes to a depth of five feet and foresees no problem. The proposed building will be a slab on grade, and the depth would be about 4 ½ feet.

Chairman Jusko said the drawing indicated the level sloping away from the building, from 101 feet to 100 feet, and asked where the water would go. Mr. Ruhl said there are catch basins in the front and on the west side. Mr. Brox said that a swale would need to be developed to keep the water away from the back of the property.

Mrs. Hacker asked if there were two adjacent properties or just one. Mr. Brox said the neighboring properties are owned by James and Joyce Carr and the North Boston Fire Company.

Mr. Perley asked if the side toward Boston State Road could be made more attractive. Mr. Ruhl said another window has been added, it is a brick building in classic Georgian design, could possibly add gable ends or possibly shutters.

Mr. Perley addressed the noise issue in conjunction with the residential properties. He asked what noise barriers are being considered.

Mr. Ruhl said something like arborvitae evergreens along all the driveways; on the residential side a 6 foot wood fence is being considered. Mr. Perley asked the length of the fence. Mr. Ruhl said it was intended to be from Boston State Road to the drive in windows, but as much fence as needed can be installed.

Mrs. Mead was asked to indicate where their residence windows over look this property.

Mr. Ruhl was introduced to Mr. Carr and Mr. & Mrs. Mead who are the property owners and residents next to the proposed building. Mr. Ruhl said he had hoped to meet them, to assure them that they will do whatever possible to be good neighbors. He added that the lane closest to the Mead residence is not one of the drive thru lanes, more of a bypass lane.

Mr. Edington asked about the ingress and egress onto Route 391, being in such close proximity to the corner, has any thought been given to a second entrance/exit on the Herman Hill side. Mr. Maxwell asked about a one way system as is used at the current bank building; an ingress only off of Boston State Road; or, a right turn only, out of the bank property, onto Boston State Road. Mr. Ruhl said that the drive in traffic would most likely exit onto Herman Hill Road. Mr. Stringfellow asked if there is any restriction direction of traffic on the property. Mr. Ruhl said there will be one way do not enter signs. Mr. Early asked how many cars could occupy the canopy. Mr. Ruhl said there is a window in the building, and one remote, and then the third lane.

Chairman Jusko said to move from conceptual to final site plan, Mr. Ruhl should go through the codes to meet all requirements. Chairman Jusko said further plans need to be received by the secretary 10 days before the September 26 meeting, for distribution and review of the Board members. Mr. Perley suggested that Mr. Ruhl aim for September 29 to be included on the October 10 meeting agenda.

Chairman Jusko asked if there were any questions or comments from the audience.

Mr. Carr asked if the correct dimensions still remain 15 feet beyond the house. Mr. Ruhl said that would remain true, but would not come any closer to the house.

Mr. Carr asked about drainage on the house side of the property. Mr. Ruhl the water would run into receivers and run underground to the storm sewers.

Mr. Carr said that a curb line is indicated on the house side of the property. Mr. Ruhl said there would probably be a warped curb so the water wouldn't run in that direction. Mr. Ruhl guaranteed that there would be no water on your property. Mr. Perley added that the drainage plan would be reviewed by the Town Engineer.

Mr. Carr said that water is not the only concern, but what about melting snow, snow removal and salt.

**Evans National, con't**

Mr. Maxwell stated that it would be very helpful if snow storage were indicated on the site plan. It would be beneficial to the Board and prevent any stock piling of snow during the winter season.

Mr. Carr asked if there would be a swale on the gutter curb on the house side. Mr. Ruhl said it would be a bonafide concrete curb with the pitch up toward the house.

Mr. Carr asked that shrubbery be installed so that the fence does not come any closer to the house. Mr. Ruhl said the shrubbery would probably be arborvitae as it does not get too wide, it stays green all winter, and is a good visible screen.

Mr. Carr asked if they would have any say in the type of fencing. Mr. Ruhl said the bank would be very considerate when the style of fencing is chosen.

Mr. Carr asked if privacy fencing, by employee parking, could be installed at a later date if so desired by the Carr's and the Mead's. Mr. Ruhl said it has been his experience that Evans National Bank will do whatever possible, within reason to make residential neighbors happy.

Mr. Carr asked about the exhaust fumes coming from cars at driveway windows. Mr. Ruhl said as a rule there is not a long line of cars and does not foresee any great deal of problem. He added that there probably wouldn't be as much exhaust from the bank as there is generated from the road.

Mr. Carr said the driveway on Boston State Road in on his property, he asked if that was going to be moved. Mr. Ruhl indicated that he was not aware of existing driveway. He added that the proposed driveway is going to be 10 feet from the Carr property.

Mr. Carr asked if the lighting would be shielded so that they don't shine into the house. Chairman Jusko said that would be a requirement from this Board purposely for that reason. Mr. Carr asked if the lights would be on all night. Mr. Ruhl said on the front of the building, but not near the drive up window. State requirements require lights to be on around the ATM Machine, which will be in the vestibule. He added that these are not large commercial lights, ten to twelve feet high, much like a residential outdoor fixture.

Mr. Ruhl asked if they could start cutting down some of the dead trees that are on the property? Chairman Jusko said, that is your property, but we will require a final landscape plan. Mr. Perley added that economically they try to salvage as many as possible, he too added, that an acceptable landscape would be required before final approval.

Mr. Tilley said that the Bank is very sensitive to the way they look and the way they present themselves. We intend to construct a very nice building and will have very attractive landscaping.

**ANTHONY BERNARDI – WILLOW DRIVE**

Chairman Jusko invited Mr. Bernardi to explain changes made to original application.

Mr. Bernardi stated that the original plan was to have a turn around. Mr. Perley said what he had discussed with Mr. Bernardi was to modify the property lines, extend the road and put in an 'L' shaped turn around. Chairman Jusko asked why an 'L' shaped as opposed to a cul-de-sac. Mr. Perley said an 'L' shaped turn around is easier for the Highway Department to maintain.

Chairman Jusko asked that the map be redrawn, as no decision can be based on the map presented here tonight. Mr. Bernardi asked if the 75 feet wide frontage was required at the road or at the set back. Mr. Kramer said that 75 feet is required at the road. Mr. Bernardi verified, when this is redrawn, there needs to be 75 feet for each lot coming off some kind of drive. Mr. Perley said that was correct, and added that the road needed to be extended further down.

Mr. Maxwell suggested that the Highway become involved with the design, along with the Fire Company for ease of ingress and egress.

**Bernardi, con't**

Mr. Perley added that any further extension would have to be built with Town specifications. He suggested that Mr. Bernardi talk to the Town Board to determine if this entire road would become a Town Road.

Mr. Bernardi asked if it were a public road would he have to run a water line down the road. Mr. Perley said, yes you would have to provide service.

Mr. Perley instructed Mr. Bernardi to redraw the map showing:

- the proposed road design
- lot lines with 75 foot frontage at road

Chairman Jusko asked that it be submitted in time for review before being added to the agenda.

**BOSTON GRILLE – GENERAL DISCUSSION**

Chairman Jusko asked Mr. Perley if the proposed deck at the Boston Grille needs to be enclosed as the Codes state that in a C-1 zone everything needs to be indoors. Mr. Perley said that as long as all that's being done is serving people, a very strong argument could be made that it is accessory use.

Mrs. Hacker asked if the Board could control the hours of operation. Mr. Perley said that he is currently working on a noise ordinance. Incorporated in this noise ordinance would be in essence would be an hours of operation statute. Eventually we can define what they do.

Discussion followed concerning the Boston Grille and the proposed noise ordinance.

**RICHARD BROX – CONTRACT RENEWAL**

Mrs. Hacker made a motion to extend the current contract of Planning Consultant Richard Brox through 2001 with no changes to the terms. Second by Mr. Maxwell. All were in favor.

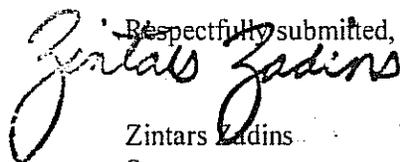
**CODE ENFORCEMENT OFFICER KRAMER**

Nothing to report.

Mr. Perley suggested that this Board use some of their budget money and purchase the book written by Jim Coon, which, Mr. Perley said was tremendously helpful in understanding Zoning Laws Gives a lot of information of Zoning Theory.

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

Being none, Mr. Early made a motion to adjourn the meeting. Second by Mr. Stringfellow. All were in favor.

Respectfully submitted,  
  
Zintars Zadins  
Secretary

ZZZ:tf