

PRESENT: Paul Jusko, Chairman  
Patricia Hacker, Vice Chairman  
Kevin Maxwell, Secretary  
Margaret Andrzejewski  
J. David Early  
Jeff Mendola  
Michael Pohl  
David Stringfellow

ALSO Councilman Damian Wiktor Town Board Liaison  
PRESENT: Dennis Kramer Code Enforcement Officer  
Carl Kirst 7170 Boston State Road

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 September 10, 2002. Being none Mr. Maxwell made a motion to accept the minutes, second by Mr. Stringfellow. All in favor.

**CORRESPONDENCE**

Secretary Maxwell reported the following correspondence:

- Letter dated September 19, 2002 from Town Clerk Sherk to Richard Brox regarding Boston Grille site plan
- Letter dated September 3, 2002 from Southtowns Rural Preservation Corporation updating Planning Board members on proposed addition of apartments
  - Chairman Jusko explained that a preliminary site plan review was done by this Board so that SRPC could apply for the funding, and will be coming back for complete site plan review at some point in the future
- Other correspondence to be read at point in agenda

**LIAISON – COUNCILMAN MEAD**

Councilman Wiktor said that Councilman Mead was out of town and asked Mr. Wiktor to represent him at this meeting. He had no report.

**WARREN STEINBERG – SPECIAL PERMIT – 7812 EDDY ROAD**

Mr. Maxwell read the letter dated September 19, 2002, sent to Mr. Steinberg advising him of the receipt of his application; the date and time of the on site visit; and that his discussion would be on the agenda for this evening's meeting.

Mr. Steinberg was not in attendance at either the site visit or the meeting.

Warren Steinberg, con't

Mr. Jusko stated that after the on site visit his questions are:

- how much is going to be filled versus the existing tree line
- where is the fill coming from

Mr. Perley explained that the fill already on Mr. Steinberg's property has come from the Omphalius Road project, and therefore did not need a permit because the fill is not coming from out of town. He added that Highway Superintendent Kreitzbender has been keeping track of the Steinberg project because of the weight of the trucks, traveling on a 4-ton limit road.

Mr. Maxwell clarified – are we reviewing the site plan or just the fill permit issue? Mr. Perley said the fill permit issue; and if the fill is not being imported from out of town there is no issue for this Board.

Mr. Maxwell made a motion to return the application to the Town Board noting that Mr. Steinberg was not present at the on site visit or the meeting so there was no additional information or input from Mr. Steinberg; and, that it is this Board's understanding the site at 7812 Eddy Road is receiving fill from within the Town therefore no recommendation is required. Seconded by Mr. Early. All in favor

WILLIAM MCCAULEY – SUBDIVISION OF PROPERTY – 5860 WOODLEE COURT

Secretary Maxwell read the following correspondence:

- letter dated September 19, 2002, sent to Mr. McCauley advising him of the receipt Mr. Perley's review, and that discussion of his application would be on the agenda for this evening's meeting
- letter dated September 10, 2002 from Town Attorney Perley

Mr. McCauley was not in attendance at the meeting.

Mr. Perley stated that any restrictions should serve no more than the purpose needed. In other words if too much of a conveyance is made an additional building lot could be developed outside the subdivision.

Chairman Jusko clarified:

- Mr. McCauley is selling the entire frontage, and a certain amount of footage of an existing lot
- This now ties in with the neighboring lot which is not part of the subdivision
- Mr. McCauley would then need to file a change to the subdivision map

Mr. Perley said yes, Mr. McCauley wants to convey enough land to the neighboring property to make the neighbor's house legal. Mr. Perley added that the neighboring home existed at the time of the new subdivision development and encroached on this lot.

Mr. Jusko asked if the neighboring lot would then become part of the subdivision? Mr. Perley said no.

Mr. Perley cautioned the Board members by saying, if there is enough frontage and the lot is deep enough, after accommodating the house, have we created the potential for another building lot, and is that what we intended.

Mr. Stringfellow asked if this Board could restrict the amount of land conveyed?

Mr. Perley suggested conveying the entire frontage but regulate the depth to prevent the development of another building site.

Discussion followed.

**William McCauley, con't.**

Mrs. Hacker made a motion to send a letter to Mr. McCauley noting his absence at the meeting, and, with the recommendation that he deed a sufficient amount of land, to the neighboring property, so that all structures meet appropriate setbacks; and that a proposed deed and survey is submitted to the Planning Board, at which time the Planning Board will proceed accordingly. Seconded by Mrs. Andrzejewski. All were in favor.

**MOBILETECH – CO-LOCATION AT 6405 WARD ROAD**

Chairman Jusko asked that the application be reviewed prior to the next meeting. He asked Mr. Perley if clarification was ever received as to what is already on the tower. Mr. Perley said no, but will be clarified with this application.

Chairman Jusko asked that Mobiletech be advised of receipt of application and they be asked to be in attendance for the discussion scheduled for October 8, 2002.

**NON-AGENDA ITEMS**

**KIRST – 7170 BOSTON STATE ROAD**

Secretary Maxwell read the correspondence:

- Letter dated September 19, 2002 from Town Clerk Shenk

Mr. Kirst gave the following information:

- Project is located at 7170 Boston State Road
- New roof is needed since the removal of Brunner Pizza equipment, in addition to other roof problems
- Would like to re-design the canopy and install new façade at same time of installation of roof
- Use existing soffit
- New façade not to exceed current encroachment over sidewalk

Planning Board members reviewed the building plans.

Mrs. Hacker asked if the lettering would be larger than is already on the building. Mr. Kramer said that Don Kirst (co-owner of property) said that the same lettering would be used.

Mr. Perley said that new signs could not be used because of the moratorium, but the same signs could be used. Mr. Kirst asked if the signs could be moved to the new façade. Mr. Perley said that he would check to be certain if the signs could be moved under the moratorium regulations.

Mr. Hacker made a motion to recommend approval of the application of Kirst Construction for roof repair and installation of new façade on the premises at 7170 Boston State Road. Seconded by Mr. Stringfellow. All in favor.

PINECREST SUBDIVISION

Chairman Jusko distributed Pinecrest Subdivision site plans that were just received this evening, and asked that Planning Board members review them for further discussion.

RICHARD BROX CONTRACT

Chairman Jusko read Mr. Brox's letter asking for this Board's recommendation for renewal of his contract.

Mr. Jusko said that Mr. Brox is obligated for 10 meetings per year at a cost of \$190.00 per meeting; \$50.00 per each additional hour.

Mr. Maxwell added that he is also obligated to write, to the Planning Board, his opinion for each project reviewed. Mr. Jusko said that Mr. Brox has been doing that, he spoke in favor of recommending Mr. Brox.

Mr. Stringfellow made a motion to recommend to the Town Board renewal of Richard Brox's contract for the year 2003. Seconded by Mr. Early. All were in favor.

CODE ENFORCEMENT OFFICER KRAMER

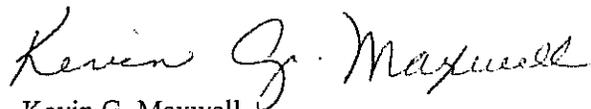
Mr. Kramer reported that the Emerling Subdivision is going into Phase II.

Mr. Maxwell said that blacktopping of the roads is scheduled for this fall; in addition to the dedication around November, and completion of the remaining part of the subdivision.

Chairman Jusko asked if there were any further business to be brought before this Board.

Being none, Mr. Stringfellow made a motion to adjourn at 8:09 P.M., second by Mr. Pohl. All in favor.

Respectfully Submitted,



Kevin G. Maxwell  
Secretary