

PRESENT: David Stringfellow, Chairman  
Robert Chelus, Vice Chairman  
Cathy Maghran  
Dr. Paul Ziarnowski

ABSENT: David Bowen  
Jennifer Lucachik  
Anthony Zeniuk

ALSO Michael Kobiolka Town Attorney  
PRESENT: Jeff Genzel Councilman – Town board Liaison  
Thelma Faulring Secretary to the Boards and Committees  
Don Schreiber Applicant – 7849 Boston State Road  
Ron Yormick 6405 Deanna Drive

Chairman Stringfellow called the meeting to order at 7:30 PM. Mr. Bowen will not be a voting member tonight so there are only four of us; so anything that is not unanimous does not pass.

**MINUTES**

Mr. Stringfellow asked if there were any corrections or additions to the minutes of December 11, 2012. Being none, Mr. Chelus made a motion to accept those minutes, seconded by Mrs. Maghran and carried.

**CORRESPONDENCE**

Secretary Faulring reported the following:

- Code Enforcement Officer Ferguson’s December 2012 and January 2013 end-of month report
- Other correspondence at point

**BOSTON VALLEY STORAGE ADDITION – CONCEPTUAL SITE PLAN REVIEW – 7849 BOSTON STATE RD**

Don Schreiber described the project:

- Pretty much the intent is in the letter sent
- Expansion to onto existing building
- Expansion is basically adding more units; basically what’s there now are 10’s by 20’s
  - Adding 5 by 5’s
  - Adding 5 by 10’s
  - Adding 10 by 10’s
  - Adding 10 by 15’s
  - And also some 10’s by 25’s
- This is what would fit in that envelope that would have to fit with all the setbacks
- Extending north
- Setback for the back line is 30 feet, goes down and creates a point and with the setback of the front which is fifty foot it comes down and creates this point

The following will represent:

- Planning Board member question or comment
  - Applicant’s response or comment
- What is the correct scale 1 to 20 or 1 to 40
  - My guess is that it should be 20; I’ll make sure that is corrected
- The back slope is between 75 and 100% grade; in our Code 101.4 it talks about a maximum of 25% grade on excavated property
- “no slope shall exceed a grade of 25% upon completion of the excavation” the question is what are we talking about here, the title of the chapter is ‘Soil Removal’
- At a glance here 101-1 “conformity required – no excavation, removal or storage of earth, sand, gravel, rock, topsoil, minerals, or other similar material excluding wood, other than the excavation, removal or storage necessary in connection with the construction of buildings rather than...structures, retaining walls...”
- North and south end wall elevations – what is the pitch, on the new building?
- On the elevation drawings over to the right is says ¼ to 12 pitch

- It's a standing seam – Mr. Schreiber displayed a picture similar to what the addition's appearance
- This works the best you don't get the snow that comes flying off, everything melts slow, and there are gutters so there's no dripping on the people
- Snow load rated?
  - Yes everything is completely snow load rated from New York State
- Right now on the existing building there are 8 unshielded wall packs, and you're going to add 13 more around the area; light trespass with unshielded wall packs isn't the direction the Town wants to go; environmental lighting of some sort or another rather than unshielded wall packs
  - We just purchased it at the beginning of the year and put some lighting on it; we didn't think there were any regulations of putting lighting on the building itself, wall packs; up there it's completely pitch dark. there's 26 tenants in there now and have no lighting for security
- Down cast rather than outcast, shielded it more
  - Okay, if you could get me some guidance on that
- In the Master Plan we're talking about trying to keep commercial projects in the hamlet areas; this would be the biggest property and most illuminated development between Patchin and North Boston
- Where did we say the Patchin hamlet begins?
- May Drive
- Visual Blocks – those that are there now are a joke. Someone planted conifers and trimmed them to look like a deciduous trees, they look like Acacia trees of Africa
  - What we would like to do is remove them and put in different...we don't like them at all, we just put them on because it said we have to put
- Mr. Brox's report said deciduous – he said hardwoods, a lot of whatever's ; there's basically no block there at all if you look at the pictures; 10, 11, 12 years ago that those are great visual blocks; what's the accountability of it
  - I guess the question would be is what do you want to see?
  - Doors is what sells our business; when people drive, no signage or anything else, once they see self-storage doors, that's what sells it
  - Our plan is to go with a slate color and evergreen (doors), so it will have more of a green look to it anyway, the existing building will be painted to match the new building, so everything will be continued
  - The trees, unless you go with arborvitaes, in Eden 8750 S. Main what we have there are some deciduous and some conifers and just a little bit of mix, in the wintertime deciduous doesn't do anything, everything is nicely landscaped, even around the signage
- It's already put in, it's already there, we talk about having commercial property which is a bigger bang for our buck than residential property as far as having tax return on it, but is this the kind of edifice or property that we want on our main drag going right through the center of Town, when we're talking about preserving the rural area in Town?
- I've not heard any complaints about the existing business that is there; it is an ugly piece of land and you can't do much of anything with it; I have no problem with it and I like the fact that he's updating it and improving the color; if we're bringing in this additional housing and patio homes I think there will be a need for this; I like the new trees and landscaping
- There is an office on the plan are going to have it manned?
  - No
  - Mr. Schreiber displayed a picture of their building/office in Eden
    - It will have the same type of door
    - It will have one window
    - When you go inside, it has all the pricing on the wall, you pick up the phone and it automatically calls me from 8:00 AM to 7:00 PM every day, and then I can that person in over the phone in a couple of minutes
    - It has a drop box where someone can make a payment and if they need to get ahold of anyone they can just pick up the phone
    - We have cameras already installed up there; there's 4 high definition cameras that are watching everything; inside the storage facility also we have the same so we can keep an eye on everything
    - Our facility in Eden is gated, this won't have a gate
- The sign
  - It will be a black and white with little shamrocks on the side
  - It will be landscaped around the sign
  - Two lights that come up and illuminate it at night

- As far as the driveway, you're still going to have the millings?
    - Yes, I would like to use millings; over there we used chip seal, but here I would like to use millings, we've used millings at other locations and it's gotten harder and actually works out better than the chip seal
    - Brox letter item 5 suggest the entry apron should be asphalt up to the office area
  - Question about the grading of the driveway
    - We should have no problem, this is five feet of grade by the time we get up here and back down to the ground
    - That's not too bad – in a hundred feet or so five feet is not going to be too bad
  - The Zoning Maps show that lot as C-1 and a warehouse requires C-2 zoning and as far as I know that has never been a non-conforming property, so we are not sure right now whether it's zoned C-1 or C-2; that is something we will have to resolve
  - The only rear setback shown is 32.20 feet at one of the corners; when scaled the other corners seem to be a little less than that and 30 feet is the requirement so those setbacks need to be shown and no less than 30 feet
    - Will have Nussbaumer & Clark resurvey and make sure setbacks are what they are supposed to be
  - Town Code does prohibit the storage of explosive or flammable materials
    - So does our agreement
  - Do you have any way to enforce that except by signing a contract
    - They sign a contract with us it's right there – no bombs, no guns
    - We can give you a copy of our occupancy agreement
    - But with their privacy -- I don't look inside their storage units
    - It's not up to us to police it
    - If the unit is open and we see it we will say something to them
    - It's up to them to abide by the rules
  - My calculation of the property came to be very close to the 15% limit
  - In your area of the building calculation you did not include the 5 by 10 office
    - So that is 50 more feet, so that puts us up to 5250
  - On the site drawing – the ground level contours step down a foot as you go along the building
    - Right but the building itself will stay at that 100.5 elevation – the outside is going to slope down a little bit so that we can get more drainage
    - Our outside elevation is probably going to be down about 4 inches off the concrete, we don't want any water coming back into it
  - The floor elevation is 100.5 all the way along the building, when to get to the office you've got a floor elevation of 100.5 and you've got a ground elevation of less than 98.5, so there's two feet to get up to the...that's going to make for a steep driveway into those first few
    - I don't see a problem as I know as far as grading wise I know I can make it work
    - Our plan is to completely level
    - When we come in for site plan review we will have contours
  - The lights should not shine off your property; you will need to show us your lighting specs
    - About half of the pavement is all we really need to light
    - These are metal hi-li with 100 watt bulbs at our other facility we did LED's the LED's are not as bright but they concentrate more light down and better on the energy billing, so probably that's what we're going to do
  - You're showing a proposed monument sign – the Code doesn't use the word monument – our Code does cover what signs can be very clearly; there is a required setback of 5 feet from the right-of-way, which in this case is the edge of the right-of-way; they are with pedestal sign basically with one or two poles up
  - A spotlight on the ground casting up is probably not going to be acceptable
  - Downward directed lighting or something that curves over the top and shoots down
  - Remember there is another road above you
  - Is that an 18" pipe under the driveway?
    - That will have to match whatever is there per the DOT
  - The landscaping across the front – do whatever you can to make it look nice; I didn't realize until this evening that people seeing the storage building is what attracts business; we'll have to see what you come up with
- Discussion followed regarding the selection of website for this particular design.
- With the proposed patio home development and the proposed subdivision expansion across the road do all you can do to hide the building, but still relay your business venture

- Think outside the box with the landscaping – hedge, fence something to break up the view
  - Looking into some bushes that grow together that would make a wall like appearance; something like that would keep trespassers from going up the hill, they would have to go in the driveway
- That eight foot upgrade is going to be a problem to landscape
  - A lot of grading work to be done before we get into landscaping; I can make berms, whatever
- What can you do with the 100% grade back there
  - Honestly not a lot – Bert’s Feet or Vetch and let it just grow – no maintenance
- Do whatever in the back to make it look nice; bushes that knit together but don’t get really high; bushes along the front edge and below the row of bushes whatever looks nice
  - Some the existing trees do have to go

Mr. Stringfellow: Are there any more questions for Mr. Schreiber. Being none is there a motion?

Mrs. Maghran: I make a motion that we accept the Conceptual Site Plan with the modifications suggested by the Board, and dependent on the Zoning is correctly determined.

Mr. Chelus: All in second.

All were in favor of the motion

**LIAISON – COUNCILMAN GENZEL**

Mr. Genzel reported: from the Town Board meeting of February 6 , 2013:

- Appointed Tony Zeniuk as Recreation Director
  - There is no conflict with that appointment and his appointment to Planning Board – per Association of Towns
  - He had excellent credentials
  - Unanimous vote
- Made Emergency Squad appointments
- Reappointed Jeff Szudzik to the Conservation Advisory Council
- We’re auditing Water District #3

Mr. Genzel: Are there any questions from the Planning Board?

Dr. Ziarnowski: At the last Work Session we talked about the training session in East Aurora in December. I contacted her, Wendy Silvati, and she would be agreeable to give a presentation in Boston, she charges \$125.00 which would cover two hours of time, handouts and travelling. She encouraged us to notify other towns. Is open to terms and schedule, but I would like to wait until the weather breaks. So could we do that or not. It was a really nice meeting and talked about things just like this. I can contact her or... So I’m bringing this to the powers that be, you or Thelma.

Secretary Faulring: No I don’t feel that’s my job. That’s a Town Board directive, they have in the Supervisor’s office, my feeling is that is the person to do the scheduling. It’s not a request of the Planning Board to go to this training, it was told that you have to go, by a former Town Board.

Mr. Genzel: I can handle the okay, so Paul would you schedule that?

Dr. Ziarnowski: We can send letters to Hamburg, Colden...it was a real nice meeting.

Secretary Faulring: You should get ahold of ZBA Chairman Dennis Mead; he was at the meeting too and said it was a very good meeting although geared more toward Planning Board members.

**TOWN ATTORNEY – MR. KOBIOLKA**

Mr. Kobiolka: Also at the Town Board meeting the Town Board approved the Town Clerk’s request to collect taxes by credit card with no cost to the Town. It will be a 2.45% cost to the taxpayer and that revenue goes to the credit card company, not the Town.

Also, I went down to the storage site and when that site was originally approved they are probably the ones that required those trees to be put there for screening, but over the nine, ten years it’s been there you can see how the landscaping fell apart. I think we have kind of a loophole in our Code, people come in do everything we ask and then in two years the landscaping falls apart and we have no way of enforcing. Once a site plan is approved, within a reasonable time we can cite them. I’m going to do some research to amend our Code so that once a site plan is approved, that’s what’s approved and that’s the way it has to stay. The Code Enforcement people can go and say ‘the plan has five trees on it, two have died, now go out and by two more and replace them.’

Mr. Kobiolka: When we approve a site plan can we add a condition that there will be a 5-year check, or something to that effect, something that is constantly reviewed by the Town, maintained.

Secretary Faulring: Who's going to be the constant in that five years or that ten years?

Mr. Genzel: When a business starts to deteriorate I think it would be up to the Code Enforcement Officer Bill Ferguson or whoever it might be, to go and tell them 'you need to clean this joint up.' If it's in the books, the Code, that gives him the authority to go ahead and do that.

Dr. Ziarnowski: Something like a dating system, calendar system – in five years we need to review everything that was passed five years ago.

Mr. Stringfellow: Some sort of schedule should be set up so anything that is approved this year be scheduled for a review in 2018, 2023 and so on.

Mr. Stringfellow: Back to the agenda. Election of officers were to be held this evening, but due to the lack of regular members, is there a motion to postpone election of officers.

Mrs. Maghran: I make a motion that election of officers be postponed until we have more members present.

Dr. Ziarnowski: I second it.

All were in favor of the motion.

Mr. Stringfellow: The next agenda item is adjournment by motion. Does someone want to make a motion?

Mrs. Maghran: I'll make the motion to adjourn.

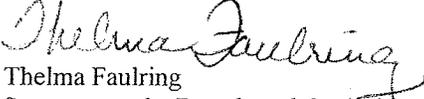
Mr. Stringfellow: I'll second.

All were in favor to adjourn.

A Work Session was not held due to the time of adjournment at 8:40 PM.

Following adjournment Mr. Yormick addressed the Board with some concerns/questions regarding the Deanna Drive subdivision extension.

Respectfully submitted,

  
Thelma Faulring  
Secretary to the Boards and Committees