

BOSTON PLANNING BOARD

July 9, 2013

PRESENT: David Stringfellow, Chairman
David Bowen
Mitchell Martin
Dr. Paul Ziarnowski

ABSENT: Jennifer Lucachik
Mary Ann Rood
Anthony Zeniuk

ALSO PRESENT: Jeff Genzel Councilman – Town Board Liaison
Thelma Faulring Secretary to the Boards and Committees
Richard Brox Planning Consultant
Andy Hilton Applicant for Moon subdivision

Chairman Stringfellow called the meeting to order at 7:36 PM. when a quorum of members was present.

MINUTES

Mr. Stringfellow asked if there any changes or corrections to the minutes of June 25, 2013.

Being none Dr. Ziarnowski made a motion to accept the minutes with minor corrections, seconded by Mr. Bowen and carried.

CORRESPONDENCE

Secretary Faulring reported the following:

- Code Enforcement Officer Ferguson's June end of month report
- 'Concerned resident' letter mailed to Planning Board members and Town Board members

SITE PLAN REVIEW – MOON SUBDIVISION

Correspondence

- Richard Brox review was received and copy given to applicant
- Revised subdivision map received and mailed to members

Mr. Stringfellow: To the best of my knowledge they have done what we asked them to do. Does anyone have any questions or discussions.

Dr. Ziarnowski: There was a question of a restriction on Lot 3 and other restrictions for Lot 7; do we need a deed restriction on lot 3 or are we okay with that?

Mr. Stringfellow: It's a large lot, I think the question was that it could not be divided. Does Mr. Moon have a buyer for that lot?

Mr. Hilton: Yes. Lot 7, it's absolutely agreeable to restrict that especially because of the amount of acreage and the number of lots it would effect, we gave copies of those restrictions to the Town Attorney of course we will be happy to work with the Town Attorney on Lot 7 as for the other lot we were trying to figure out whether or not that would be appropriate and that's your decision but from our end it would not be appropriate for our plan.

Mr. Bowen: Do we have history of these splits?

Mr. Brox: No, but I'm sure that all these splits have taken place since 1960.

Mr. Hilton: The issue might be a little moot because Lots 3 and 4 have already been conveyed, I've got copies of the deed. It was transferred November 7, 2011; they also purchased lot 4 however that was an independent transaction and tax assessment was also reflected as a separate lot. So lots 3 and 4 are separate legal descriptions and separate tax descriptions and so it's appropriate to keep them separate on the subdivision. They are owned by the same person. They could separate that parcel in the future.

Mr. Bowen: What was the original parcel prior to the splitting?

Mr. Brox: Probably Feddick Road and Mayer Road to the corner of the next road, probably 160 180 acres.

Mr. Bowen: Have the splits conformed with the law, is it our concern?

Mr. Brox: Not really, not at this point.

Mr. Hilton: An exception would be the small lot on Feddick Road is owned by John and Valentina Moon whereas the rest of the land is owned just by John Moon, Jr. so there are different owners and that was purchased in two different deeds. The first transaction occurred in 1990 and the second was adding on an additional 25 foot of side land in 1996. So the original lot was 115 foot frontage 333 feet deep so it was subpar so that transaction occurred in 1990 and added on to in 1996.

Mr. Stringfellow: Has everybody looked at the revised EAF?

Mr. Brox: On the subdivision map that we had last time – these numbers don't add up. There's 335.61 on one side of the line and 645.5 on the other side of the line.

Mr. Genzel: That lot has to be deeper, the nomenclature probably just got left, the note says 'subject to change.'

Mr. Brox: As long as it gets corrected before it gets filed.

Mr. Stringfellow: The Town Attorney still needs to go through revised EAF, so anything we do will be pending his agreement.

Discussion followed on the Environmental Assessment Form:

Page 8 – Does the proposed action involve a planning or zoning decision? You checked no.

Mr. Hilton: It was my understanding that there is no requirement for a decision, there is a recommendation from the Planning Board that goes to the Town Board and the Town Board makes the actual decision.

Mr. Stringfellow: On a subdivision the Planning Board makes the decision, not the Town Board.

On the following pages – What are predominant land uses and zoning classifications within a ¼ mile radius?

You list the zoning, I believe everything with a ¼ mile is residential or is there some farmland that is being farmed?

Mr. Hilton: There's no farmland being farmed, within a ¼ of a mile it's all wooded or residential.

Mr. Brox: It's either R-A or R-2.

Mr. Stringfellow: It asks for land use and zoning, he only provided zoning.

Through discussion it was decided that use is residential and agricultural.

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Is surface liquid waste disposal involved?
Type?

Yes
Septic system

Mr. Stringfellow: Does the proposal need to go out to other public agencies before scheduling a Public Hearing?

Mr. Genzel: I don't believe so you're not making use of public water or public sanitary.

Mr. Brox: I think it can be just a local SEQR decision.

Mr. Stringfellow: Mr. Hannon classified it as an 'unlisted action' and uncoordinated review was what happened here.

Mr. Brox: You could schedule a Public Hearing for the next meeting and have the Public Hearing for both the SEQR and the Final Plat at the same time and approve it if you feel comfortable.

Dr. Ziarnowski: What is the timeframe after the Public Hearing?

Mr. Brox: There is a certain amount of time following the Public Hearing for any further public comment to come before you can have the plat signed.

Mr. Stringfellow made a motion to schedule a Public Hearing for Tuesday, August 13, 2013 at 7:15 P.M. in the Courtroom, providing that the Town Attorney and Town Engineer agree that we are at the Public Hearing stage in the subdivision of land process, seconded by Mr. Martin and carried.

BOSTON LUXURY APARTMENTS

There was no representative of the project present.

Mr. Stringfellow: I have a lot of questions on this and Mr. Hannon, the engineer has a lot of questions and has not had time to go through the application in any detail.

Discussion followed on the lack of details asked for in Conceptual Plot Plan

Mr. Genzel: The task at hand is a zone change from C-1 to R-3.

Informal discussion points included:

- This parcel is in the Master Plan as commercial; wants rezoned from commercial to multi-family residential
- Smaller parcel is in a mixed use hamlet; the other is highway commercial

Mr. Martin made a motion to table any discussion, seconded by Mr. Bowen and carried.

LIAISON – COUNCILMAN GENZEL

Mr. Genzel reported that there Town Board is on summer schedule and there has not been a Town Board meeting since the last Planning Board meeting.

- Next meeting is scheduled for July 17, 2013
- Fireworks display went well
 - All fireworks were purchased through donations
- All is running smooth.

TOWN ATTORNEY - KOBOLKA

Mr. Kobiolka was not in attendance.

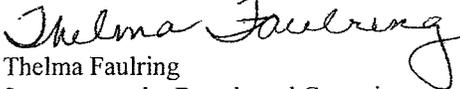
Mr. Stringfellow: Is there anything else for this evening?

Mr. Bowen: Is there anything that can be given to the applicant, a checklist of sorts, that they can use for more information before they come in here? So that we don't have to take the time deliberating the application and advising the applicants what needs to be done.

Mr. Stringfellow asked Secretary Faulring to provide the members with a subdivision checklist and site plan review checklist.

Dr. Ziarnowski made a motion to adjourn, (8:41 PM) seconded by Mr. Martins and carried.

Respectfully submitted,


Thelma Faulring
Secretary to the Boards and Committees