

PRESENT: David Stringfellow, chairman
Robert Chelus, Vice Chairman
Jennifer Lucachik, Secretary
Dave Bowen
Cathy Maghran
Tony Zeniuk

ABSENT: Keith Clauss
Paul Ziarnowski

ALSO PRESENT: Michael Kobiolka Town Attorney
Jeff Genzel Town Board Liaison
Thelma Faulring Secretary to the Boards and Committees
Sean Hopkins 5500 Main Street, Williamsville, 14221
Joe Gauthier 1900 Bullis Road
Joe Palumbo 487 Main St., Suite 600 Buffalo, NY 14203
Dana Darling 6540 Omphalius Road
Ken Kloeber PO Box 140, Boston NY

Mr. Stringfellow called the meeting to order at 7:30 PM and said that Keith Clauss and Paul Ziarnowski both called to say they would not be at this evening’s meeting. Chairman Stringfellow appointed Alternate member Dave Bowen to serve as a regular voting member for this evening.

MINUTES

Mr. Stringfellow asked if there were any corrections or additions to the minutes of September 25, 2012. Being none, Mr. Chelus made a motion to accept the minutes, seconded by Mrs. Lucachik and carried.

GENERAL CORRESPONDENCE

Secretary Faulring reported:

- Code Enforcement Officer Ferguson’s end of month report for September and October – in members’ folders

HAMBURG OVERHEAD DOOR – Revised site plan / addition of outdoor lighting

Mr. Stringfellow: The revision they are proposing is to add lighting to parking and turnaround area; the lights are shown as on the outside of the area, directed inward; the height of the lights will be less than the height of the building in front so they will not be significantly visible from the street; they do not shine back toward the houses behind the property, they are to be directed down to the parking lot. They are trying to at least minimize even eliminating the side of their building. As far as I can see it meets the Code and I don’t see any problem with it but we are certainly open to any other questions or opinions from the Board.

Mr. Kloeber described the revision, to the revision that was distributed previously to the members for review; and distributed new handouts.

Mr. Kloeber: It’s a slight revision to what you have seen. The original that we submitted was for two poles and four heads. When we got the lighting analysis back it showed a lot of hot spots on it, it was very inefficient in terms of lighting. We ended up with real bright areas and other areas were basically unlit. So they did another layout and what we got was four poles and six heads, but we’re still lighting the same amount of area, it’s just a more even light than what it would be with the first plan that we submitted. Instead of having two real bright areas we end up with a more even average light across that area that we want to light.

Mr. Kloeber described the poles showing two heads, the new plan that was recommended was having three poles instead of two poles. It’s high efficiency LED lighting which is not as bright and doesn’t project as far as the old style lighting; it’s a green approach. With using the LED lighting he proposed using two more heads on it and another pole to even out the light, that’s why we came back with this plan three poles instead of two poles.

Mr. Kloeber's answers to questions asked by the members:

- It's a completely different light from what is already there, that's the old style
- Will be on a timer
 - Go off around 9:00
 - On early in the morning to light the area for snow plowing, for their lighting
- Comparison of heights
 - Poles are 20 feet
 - Existing building to peak is 28 feet
 - Addition height is 22'
- Normal procedure is to angle these at 60° down

Mr. Stringfellow asked for a plan for the file.

Mrs. Maghran: I make a motion to approve the three poles with six lights on the addition on the parking area at Hamburg Overhead Door.

Mrs. Lucachik: Second.

All were in favor of the motion.

PROPOSED BROOKFIELD PATIO HOMES – Site plan review

Due to length of discussion the following will be used instead of each name:

PB = Planning Board members, Town Attorney Kobiolka or Councilman Genzel

APP = Dana Darling Joe Gauthier, Attorney Sean Hopkins, or Joe Palumbo

PB: Are there 88 or 95?

APP: 95

PB: Emergency access?

APP: We've provided that

PB: Overflow parking where are they located?

APP: Some were added at the end of each isle

There is some also near the road

If there is a party – these internal driveways are wide enough, while it's not designed for that it's not going to cause a problem where it block those driveways

A couple extra parking spaces that are approximate to each unit

Given to the target market of seniors at least 20% probably won't have vehicles

PB: How many will have two?

APP: Some could, but these are small units

APP: They're only two bedrooms units so they're not really designed to be like a family style housing

APP: Some of the turnarounds have been extended by some of the units

We have added about 11 additional spots

Plus two spaces at each unit – one in the garage and one in the driveway

PB: Here it shows wetland boundary over the road, is this going to be built up?

APP: This is a portion of the site where there is some wetlands existing; this is the only portion that will be impacted;

The way that the grading is going to come is there is going to be a roadside swale that runs alongside and down into a...right now there is retention area and that will drain out into the...to allow us to have dry ponds instead of wet ponds

Dry ponds allow us to have light grass that can mowed in the summertime as opposed to a mosquito trap

We have tried our best to spend some time trying to dedicate some areas to do and meet NYS requirements and to have these newer style stormwater management systems that keep us having to put these big ponds on site

Obviously there is a creek running through it too, there's nothing I can do about that

PB: When I read through this I understood that the ponds were to be wet, is that new since last meeting?

APP: Yes we're trying so that the ponds will not be full on wet ponds; right now I've got one fully designed to be a dry pond, it will take water in the heavy summer events, the idea is that it will drain out; the second one I have just about there, we have to make sure that the numbers work out; my intent is that if I can get them to be dry it will be a benefit as opposed to being wet; they are just there for extra capacity so what they will do is when the heavy storms come in they fill with water and then we will release the water at a lower rate than what currently goes into the creek now, naturally..

I have some calculations put together that show what kind of flow rates come off the site down to the end of the creek, and try to discharge in two spots and those numbers will tally up for each individual storm less than what is currently there, so we should have a positive impact on the creek and the surrounding area.

PB: So where are we in the site plan approval? We haven't even seen the buildings yet.

PB: This is nowhere near enough for approving a site plan.

APP: We're asking for a recommendation on the Conceptual. Joe has provided Jim (Hannon – Town Engineer) with a complete set of the fully engineered plans; there is some additional information that Joe will be providing him; but we decided that you wouldn't want to see each and every plan. Obviously before we get final approval we need Jim's signoff and we understand that.

APP: I've been trying to open up communications with Jim and I want to make sure that I am designing what he wants to see designed as well as I think is the right operation here.

PB: Signage?

APP: This small box out there, that's where that will be; and part of the Town Board's approval was a condition was that we have a decorative sign and upscale in appearance, so that will be part of the final, we're envisioning something nice.

PB: One last suggestion is if you would consider using renewable energy resources like solar or something of that nature.

PB: Where are the light poles?

APP: We will try to provide site lighting along the roadway at each of the intersections so it's well lit.

PB: Where are you going to put the mailboxes?

APP: We haven't shown the mailboxes on the plan yet; what we've been leaning toward is to include them at the end of each so they don't have to walk out to Boston State Road to get their mail.

PB: The road into here is going to be a private road, not built to Town specifications, not a public street, will the Post Office deliver mail on that?

APP: That is something we will have to check into.

APP: As far as I know they will; they deliver in the Boston Hill mobile home park. Where is Ron Yormick when we need him?

PB: Will the garbage truck go all the way down the street or will the garbage have to be put out to the road?

APP: They will come down and pick up at each individual unit; they can back into each finger and pull out or pull into each and back out. There should be enough room. We have provided the turnaround at the end of the main drag so they can come all the way and turn around an drive straight out. How they decide to do it will be up to each driver. We have tried to develop an idea so that each phase will come down and have a turnaround point which will basically include the driveway coming into each phase itself, but if we stub the roads out far enough the trucks will be able to make the turn around right there.

PB: If you have the light poles at the end of every stub and every parking area, there may be some trucks backing into the light poles.

APP: Hoping they're careful because we're going to be putting the hydrants along that side of the road too, which gives the firemen easy access to them so if there is a situation the fire hydrants aren't right on top of the units, I've found from experience that they like to be able to pull up to them and not be next to the blaze. So we've brought the water service down that side of the road which is the north side.

PB: When we start the phases which way are they starting from?

APP: In from Boston State Road probably starting with two buildings, minimum; Dana and Joe have had a lot of inquiries over the past few months.

PB: I actually became involved in the middle of the process and this is relatively a new experience for me so... what is desired here tonight, as I understand they want a site plan approval?

APP: Conceptual approval. If you look at your Town Zoning Code, it's a two-step process and we're asking for Conceptual; we're not ready for Final, we've got to sign-off from Jim Hannon, we also have to work through approvals from outside agencies Erie County Health, E. C. Public Works, E.C. Division of Sewerage Management. Joe and his team are in the process have had discussions with all of those agencies and that will be

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part of the final process. Conceptual process I think means that we have address the primary concerns, get the engineering done and come back.

PB: And I believe that you have addressed everything that we've brought up.

PB: And the engineering is a considerably expensive process and if it's something we look at and say 'we're never going to let this happen in our Town' we should tell them that before we let them go to all that cost. That's why we have a Conceptual and Final Site Plan Review.

APP: We have started conversations with your engineer to make sure that he didn't see something that immediately raised red flags in his mind that says 'this isn't going to work'. He's given me some really good criticisms and some things that he wants to see done. It's a lot of the engineering stuff the county things, we've started all those processes and it takes time.

PB: If conceptual approval is granted tonight and in a subsequent meeting if there is something that is found to be a conceptual issue does the Board have the authority to go back and address that?

PB: Yes we do.

APP: We think that we have done a pretty comprehensive analysis, we think that what we show complies. But understood it something comes up over the next couple of months or at Final we understand we have to address it.

PB: Another question is one of principle and that has to do with the market; I look at the 55+ housing units on Southwestern Blvd. The one unit was built and opened 20 months ago and it's 25% full.

APP: Attached or detached?

PB: Well they're certainly not detached.

APP: That's one big building.

APP: That's a different market. That's for an older market.

PB: These are one big building.

APP: No, these are going to have separate entryways to each unit.

PB: My point is at some point there's a saturated market and it appears in this situation the market is saturated.

APP: It's not though. I've seen the market studies there is a demand for senior housing in W.N.Y.

PB: We don't have privilege to the market study so I have to make assumptions then based on the market that I would like to have access to the Market Studies to be able to make an intelligent decision. There is a limited amount of land in Boston for building purposes; we have a school what I'm understanding has a highly likelihood of closing because there is not enough students and we're taking land that's not going to generate any students to keep our school open.

APP: There are a lot of market studies out there by a lot of well-known consultants to show that there is a demand for senior housing, not only in this market place but in many locations in W.N.Y. That's the growing demographic in W.N.Y.

PB: Well I certainly would like to see the school remain open.

APP: After this evening we will be proposing a sub-division as well and hopefully there will be some school children.

APP: It's not necessarily 100% geared towards the aging market. It could be a young professional, it could be a single parent with one or two children.

PB: Another thing to point out is when these older residents sell their larger homes they're probably selling to families with school-aged children

PB: In updating the Comprehensive Plan and in the draft of the housing portion we updated to 'encourage housing developers to assess current vacant buildings within the Town for potential reuse before assessing the hamlet areas for new construction.'

PB: It's my understanding in terms of the process Jennifer recommended that site look at renewable energy, I would assume that is a matter of the minutes now, but I didn't hear any commitment by the group in terms whether they are going to look at renewable energy as their contribution to this project.

APP: All I can say is that we will explore it. We certainly are not in a position to make any commitments. We can do a cost benefit analysis; but sure we can check into it. So everyone knows a lot of elements of this project including stormwater design we're incorporating the latest green design building principles that have been implemented by the D.E.C. so there are green elements in this project. If we can incorporate more as long as it makes financial sense.

PB: It would be nice, since there was so much controversy, to have this be like a showplace that other places would come in and say, this is what we would like to do in our community.

PB: To pull out of your neighborhood where the proposed entrance is supposed to be the property to the north of you does not maintain the Right-of-way, and unfortunately it blocks the view of the vehicles coming from the north.

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You might want to talk to them to have them maintain that or cut that back so that the sightline to the north is more clear.

PB: What side of the driveway are the utilities on?

APP: Currently the water is on the north side of the driveway; the sanitary is on the south side of the driveway. The sanitary will pickup the county sewer that crosses the site and the water will tap in on Boston State Road. The electric I do believe will come if off Boston State Road as well.

PB: Underground?

APP: Definitely, I don't to look at power poles.

APP: Generally the electrical doesn't get really get 100% finalized until we get the electrical provider involved.

PB: I like the landscape plan, but I feel like there should be at least one tree in between the two buildings, in one of the larger islands, right now your trees are all on the out sides and all that you have in the middle is low scape, you don't have any taller landscape in between so maybe one tree in between each building. Something to break up the sight of the property from up above.

APP: That will be a discussion that we will have to have with our landscape designer. We'll follow up with that.

APP: Schichtel contacted me about buying some locust trees, maybe we can look into that utilizing those.

PB: Light seems to be a big issue; and I'm thinking about this population if you're appealing to elderly people – I'm concerned with the light, is there enough light even with the lamppost is there enough light in those areas for elderly people to see without tripping or falling, if it's snowing?

APP: The current plan is to have light poles down the runs with the houses there will also be decorative lights at the entrance lights at the entranceways of the units.

PB: Sometimes they wheel chairs, walkers is it going to be light enough for them to make their way into the units without tripping or falling or running over something?

APP: My guess is that a lot of the people are going to accessing the units through the garage, even if you park it outside chances are you're going to hit your garage door opener, get out and walk in that way.

Several individual discussions occurred at this point.

PB: The location map on the first page is completely unreadable; can't read the streets on it and the shape that you show on the lot of the project is not the shape that it really is.

APP: We'll get it cleaned up.

PB: All overall dimensions of the site are to be shown – sheet C-102 shows them but C-101 does not.

APP: We'll work on that. When you get the final submittal you will get a survey submitted with it and it will have all the dimensions of the site. What is omitted from this, in order to save trees, is probably a two or three page survey.

PB: Code Section 123-37 D three or more family dwellings – the setback requirement is a minimum of 30 feet from any property line; the buildings coming in from the State Road the 1st, the 3rd and the 4th building do not have 30 feet from the property line, that's on C-101; again the 1st 3rd and 4th westward from the State Road do not have 30 foot setback from the south property line.

APP: We may be going back to the ZBA. Just so you know there is a little strip of property there, the ownership of that is unclear, it may be Dana and Joe's or it may be the adjacent property owner, so we've just treated that like it's not ours just to make sure. It might be ours; the way the deeds from the different properties don't match up. It's like 10 or 12 feet wide. We'll get that figured out.

PB: Each of these units have a patio and there is nothing obstructing everybody else's view of your patio; all the patios face each other. It would be nice if there could be a hedge or something down the middle.

APP: What we have between most of these units is a three to five foot grade drop from unit to unit as you go down the site; and basically yard drains to pull the stormwater out from between the units. The site drops probably 40 feet from the road to where our back buildings are; two units will face each other, where the phase line is there is going anywhere from 3 to 5 foot grade drop.

PB: That will increase the sensitivity of the privacy issue because the people on the higher grade will be looking down on the lower grade.

APP: I don't think we want to mandate a specific enclosure around the screens, I find those ugly.

APP: What we've tried to do with the landscape is add some bushes between the units on each side so that when you walk out on your patio you're not looking at the person next to you. Keep in mind that the units are probably sixty feet away from each other.

Discussion followed adding some sort of privacy screening of some sort – utilizing mow-able green space, hedge, relocating

trees.

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APP: We can look at it.

Chairman Stringfellow: Are there any other questions, comments or concerns?
acceptance of the Conceptual Plan to allow them to go into the engineering phase?

Being none, is there a motion on

Mr. Chelus: I'll make a motion to approve this as the Conceptual Plot Plan.

Mrs. Maghran: I'll second;

Mr. Stringfellow: Any discussion of the motion? Being none – all in favor?

All were in favor of the motion.

LIASION – COUNCILMAN GENZEL

Mr. Genzel reported from the Town Board meeting of November 7, 2012.

- Approved
 - Special Use permit for the propane tank at Sharco Enterprises in Boston taking in the consideration of the Planning Board's comments, with the following stipulations
 - Bollards must be in place
 - The site is to be cleaned up to match the site plan
 - Must meet with C.E.O. Ferguson's approval before they can install the tank
- ZBA approved the variance request for Deanna Drive Extension
 - Not all lots met required depth of 175 feet

TOWN ATTORNEY – MR. KOBIOLKA

Mr. Kobiolka had nothing to report this evening.

DISTRIBUTION

Secretary Faulring distributed the Pre-Application submission for Deanna Drive extension.

Secretary Faulring: There were only ten copies delivered to me so I will distribute to the members now and ask for another 5 copies for the rest.

Discussion followed regarding seniors selling larger homes, hopefully to families with children therefore keeping the school open.

Mr. Stringfellow: The subdivision has been distributed. I would remind you all that on site plans – we recommend and the Town Board approves; on subdivisions we are the approving authority. So when we're satisfied we sign it and it's done. We need to look at it carefully.

Mr. Stringfellow: Is there a motion to adjourn?

Mr. Chelus: I'll make a motion to adjourn the meeting (8:42PM).

Mrs. Lucachik: Second.

Mr. Stringfellow: We are adjourned.

Respectfully submitted,

Thelma Faulring
Secretary to the Boards and Committees