

BOSTON PLANNING BOARD

June 28, 2016

PRESENT: David Stringfellow Chairman
Dr. Paul Ziarnowski Vice Chairman
David Bowen
James Liegl

ABSENT: Jennifer Lucachik
Mitch Martin
Mary Ann Rood
Elizabeth Schutt
Jay Boardway Town Board Liaison
Michael Kobiolka Town Attorney

ALSO Sarah desJardins Planning Consultant
PRESENT: Thelma Faulring Secretary to the Boards and committees

Chairman Stringfellow called the meeting to order at 7:30 PM.

MINUTES

Mr. Stringfellow asked if there were any additions or corrections to the draft minutes of April 26, 2016.

Secretary Faulring corrected some typos in the minutes.

With those corrections Mr. Liegl made a motion to accept the minutes, seconded by Dr. Ziarnowski and carried.

GENERAL CORRESPONDENCE

- CEO Ferguson's end of month reports for April and May
- E-mail from Dr. Ehlers dated March 31 requesting appointment to the Planning Board
- Training Opportunities
 - Solar Energy and Walkable Communities – Erie Community College -South June 1
 - Erosion and Sediment Control - - Cheektowaga – June 28, 2016
 - NY PF Summer Session
 - Friday, August 5 in Corning
 - Friday, August 12 in Batavia
- Planning Board letter dated April 27 to Town Board with the recommendation for approval of the proposed duplex on Brown Hill Road – with the understanding that future subdivision must go through the subdivision process
- Planning Board letter dated April 27 to Town Board stating that the PB will not be making any recommendation on the proposed mixed use project
- PB letter dated April 27 to TB advising that the Planning Board has 'adopted the date of October 5, 1988 as their policy in the subdivision of land process' until the Town Board amends the Code
- Town Board letter dated May 9, 2016 advising that they accepted the unanimous recommendation of the Planning Board on the October 5, 1988 date
- Planning Board e-mail to Dr. Ehlers dated June 21, 2016 advising him of the meeting on June 28, 2016 with an attachment of the formal letter sent to all prospective members
- Planning Board letter dated June 22, 2016 mailed to Dr. Ehlers requesting an interview on June 28 and inviting him to stay for the meeting that follows

AT POINT CORRESPONDENCE

Planning Consultant desJardins' May 9 update of Welcome to the Town of Boston

Mr. Stringfellow: Any questions on any of the correspondence?

Dr. Ziarnowski: For the record: I think we should think about whether people who do not live in this Town can be on the Planning Board; and the reason being if I was a business person in Town my outlook and the goggles that I look through would be totally different than I was a person who lived in that Town, and I think there is a different agenda so maybe we don't want to waste the Board's time in taking applications from people who don't live in the Town, I don't know how we go about doing that.

Mrs. desJardins: Is there anything in the Code about that; I'd be surprised if there wasn't.

Secretary Faulring: I couldn't find anything in our Code and that State Law Code I can't make heads or tails of it

Mr. Bowen: Does it relate to where they are registered to vote? You can only vote in the Town where you live.

Discussion followed:

- Does it make a difference if it's a volunteer board
- Elected officials have to be a resident
- Only appointed 'officials' who do not have to be a resident are the Town Attorney and Town Assessor

Mr. Stringfellow: Should we bring this up now, before we interview Dr. Ehlers; he had a good reason for not being here tonight. He said the letter did not get to him from his secretary until today, I believe he has an office in other towns so he is not in Boston all the time. In the phone conversation I had with him this morning I had left it that we would invite him another time. I think we owe him the courtesy of an interview. Should we pre-empt this by asking the Town Board ahead of time whether they would consider appointing someone or whether they think they should appoint someone?

Dr. Ziarnowski: When I read the letter it goes 'I've been in this Town for 25 years' it didn't say I lived in this Town for 25 years. Did he give his address?

Secretary Faulring: All I have is his business address.

Mrs. desJardins: Maybe by the time we have another meeting this could be resolved and then either you interview him or you don't.

Discussion followed regarding residency.

Mr. Bowen: We're just asking for a generic decision, not necessarily relative to him in particular.

Dr. Ziarnowski: I would make a motion to have the secretary send a letter to the Town Board in light of the fact that we have an application from a non-resident requesting membership on the Planning Board we would like an opinion from the Town Board and/or the Town Attorney if we should even entertain this request, see attached letter.

Mr. Liegl: I will second that.

Dr. Ziarnowski: I will also draft a letter to accompany the Planning Board letter with our thoughts

All were in favor of the motion

'WELCOME TO THE TOWN OF BOSTON' LETTER

Mrs. desJardins: You asked me back in April to make sure what is in Code is in this letter and they were with a couple of exceptions that I added.

Suggested changes/additions:

- Planning Board member or associate
 - Mrs. desJardins
- Omit Planning Consultant name
- Change she to he/she or change wording
- Code Enforcement Officer's extension is 111
- Public Hearings are held at Town Board level on rezoning requests, not all site plans
- Section-Block-Lot is that necessary
 - That's in the Code
 - Not hard to retrieve from the GIS
- Add at the end of the letter that the Planning Board can waive anything that they don't feel is necessary depending on the project
- At training sessions they are telling to do the Long Form
 - What typically is done is the Short Form when you first submit and then if you determine you want a Long Form, then they do it
- Walkable Communities regarding sidewalks; keeping people off the road
- Chairman Stringfellow has been an advocate of that for years
- When a subdivision is put developed the Town should not take over the road, it should be the responsibility of the developer
 - This letter is for site plan approval, that is something to be discussed for subdivision at a later date

Discussion followed regarding subdivision; developers going out of business; Homeowner's Association

- Make a statement that this letter is a guideline and not a replacement of the Code
- Delete last page where signature is required

SET SUMMER SCHEDULE

Town Board Summer Schedule is set for July 6 and August 3.

Following discussion it was, by consensus of the members present to schedule Planning Board meetings for Tuesday, July 19 and August 16.

TOWN PLANNER REPORT

Nothing further for this evening.

LIASION – TOWN BOARD UPDATE

No one present for any update

TOWN ATTORNEY KOBOLKA

Mr. Stringfellow: The Town Attorney e-mailed a letter to me – basically he is saying that Mr. Emerling has in progress a 62 unit development in the Town of Eden, a combination of apartments and senior housing type project that he felt was quite similar to what we have going on in the Town of Boston, He indicates in the letter that Eden seems to pretty much in favor of it and is in the process. Whether Mr. Emerling is trying both and actually going to do one or the other or whether he is planning to do both I have no idea. Mr. Kobiolka suggested that I talk to the Planning Board chairman in Eden, compare notes and find out what's going on; I will try to do that.

Dr. Ziarnowski: Why do we care? In my mind I would keep my nose out of it and let sleeping dogs lie; let him go do it and if Eden welcomes him with open arms good for him. It's not going to change our opinion one way or another of what we tell him or not based on what he showed us in his preliminary plans. I don't know if I'd even bother. We've got to deal with what he brings to the table here.

Mr. Bowen: Circumstances over there could be so different than the circumstances here; asking for a rezoning.

Mr. Stringfellow: He did indicate that he needed a Special use Permit for the property. I will leave it that I may or may not talk to him.

EXECUTIVE SESSION AND RETURN TO REGULAR SESSION

Not necessary

MOTION ON RECOMMENDATION OF APPOINTMENT

Motion made earlier in meeting regarding the appointment of a non-resident.

ADJOURNMENT BY MOTION

Mr. Stringfellow: Is there any further discussion for this evening? Being none is there a motion to adjourn?

Mr. Liegl: I make a motion to adjourn.

Dr. Ziarnowski: I second.

All were in favor of the motion.

Respectfully submitted,

Thelma Faulring
Secretary to the Boards and Committees