



TOWN OF BOSTON

JASON A. KEDING
Supervisor

MICHAEL A. CARTECHINE
JENNIFER L. LUCACHIK
KELLY L. MARTIN
KATHLEEN SELBY
Town Board

SANDRA L. QUINLAN
Town Clerk - Tax Collector

ROBERT J. TELAAK
Highway Supt.

DEBRA K. BENDER
KELLY A. VACCO
Town Justice

Ryan McCann
Town Attorney

KYLE CALABRESE
Prosecutor

Thelma Hornberger
Assessor

Thomas Murphy
Code Enforcement Officer

TO: Planning Board
Town Clerk
Code Enforcement Officers

Town Supervisor
Highway Superintendent
Town Assessor

Town Board Members
Town Attorney
Planning Consultant

AGENDA

PLANNING BOARD MEETING

November 12, 2024 at 730pm

Town Hall – Court Room

- 1) Call Meeting to Order
- 2) Approval of Minutes
 - a. October minutes
- 3) Old Business
 - a. none
- 4) New Business
 - a. Christopher and Leah Weitig - Requesting Preliminary Plat Approval of a 2-lot minor subdivision to be located at 8046 Lower East Hill Rd.
 - b. Simmeth - 8010 Boston State Road – Requesting Preliminary Plat Approval of a 2-lot minor subdivision to be located at 8010 Boston State Road (SBL 226.02-5-44).
- 5) Reports
 - a. Planning Consultant
 - b. Town Attorney
 - c. Town Board Liaison
 - d. Board Clerk
- 6) Motion to adjourn.

TOWN HALL
(716) 941-6113
Fax (716) 941-6116

TOWN SUPERVISOR
(716) 941-6518
Fax (716) 941-9264

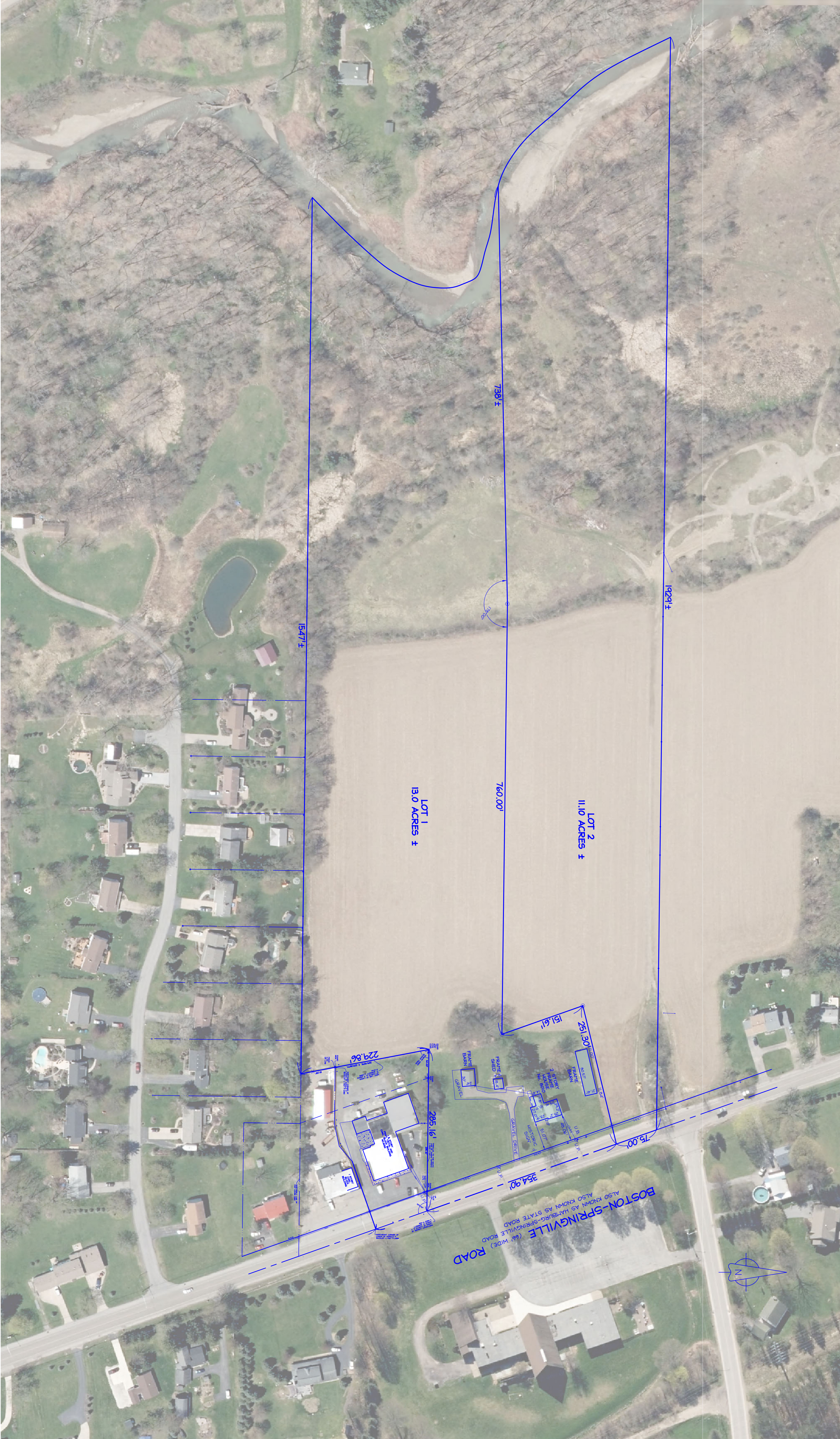
TOWN COURT
(716) 941-6115
Fax (716) 941-5169

HIGHWAY GARAGE
(716) 941-5869
Fax (716) 941-3677

NUTRITION PROGRAM
(716) 941-5773

The Town of Boston is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call 1-866-632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or fax 202-690-7442 or e-mail at program.intake@usda.gov.



Revised to 2 Lots 09/24/24



PRELIMINARY PLAT
SIMMETH SUBDIVISION
Part of Lot 14, Township 8, Range 7
Holland Land Company's Survey
Town of Boston
County of Erie, State of New York
Date of Survey: 08/09/24
Scale: 1" = 80'
Project No.: 201-0579 BC-2

CARMINAWOOD DESIGN

October 25, 2024

Sarah Desjardins
Town of Boston Office of Planning
8500 Boston State Rd
Boston, NY 14025

Re: Lower East Hill Rd. Subdivision
8046 Lower East Hill Road
Boston, NY

Mrs Sarah :

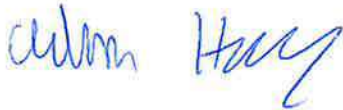
On behalf of our client, Chris Wojcik, please find enclosed the following documents for processing and review:

- (10) Site Plan
- (10) Short EAF
- (10) Survey (8.5x11)
- (1) Property Deed

If you should have any questions regarding this letter, please contact me at (716) 842-3165. Thank you.

Sincerely,

Adam Hanley, PE | Engineer

A handwritten signature in blue ink, appearing to read "Adam Hanley", is positioned below the typed name.





Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

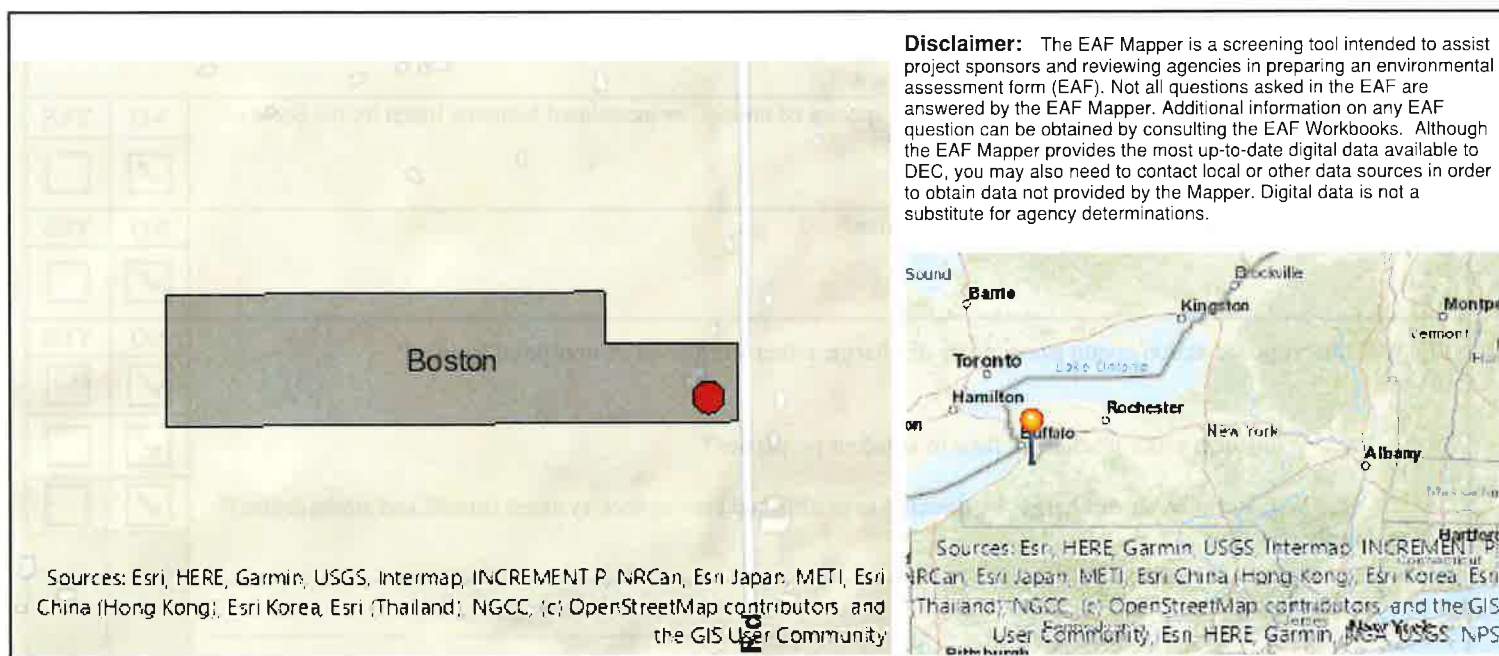
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Lower East Hill Road Subdivision			
Project Location (describe, and attach a location map): 8046 lower East Hill Road, Boston, NY			
Brief Description of Proposed Action: Proposed 2 lot subdivision for existing single family house (lot #1) and potential future development (lot #2).			
Name of Applicant or Sponsor: Jeanette Wojcik c/o Carmina Wood Design		Telephone: 716-842-3165 E-Mail: ahanley@carminawooddesign.com	
Address: 80 Silo City Row			
City/PO: Buffalo		State: NY	Zip Code: 14203
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action? _____ 29.7 acres b. Total acreage to be physically disturbed? _____ 0.0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 29.7 acres			YES ☐
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☒ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Adam Hanley</u> Date: <u>10-25-24</u> Signature: <u></u> Title: <u>Engineer</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

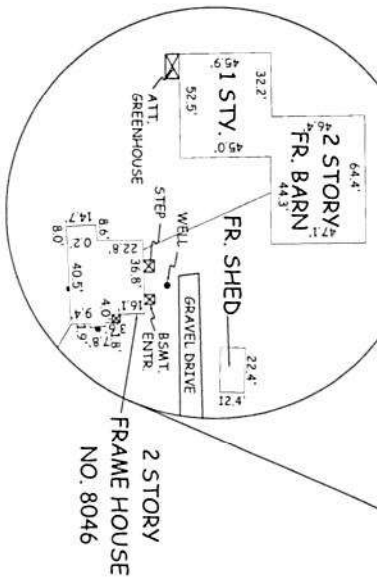
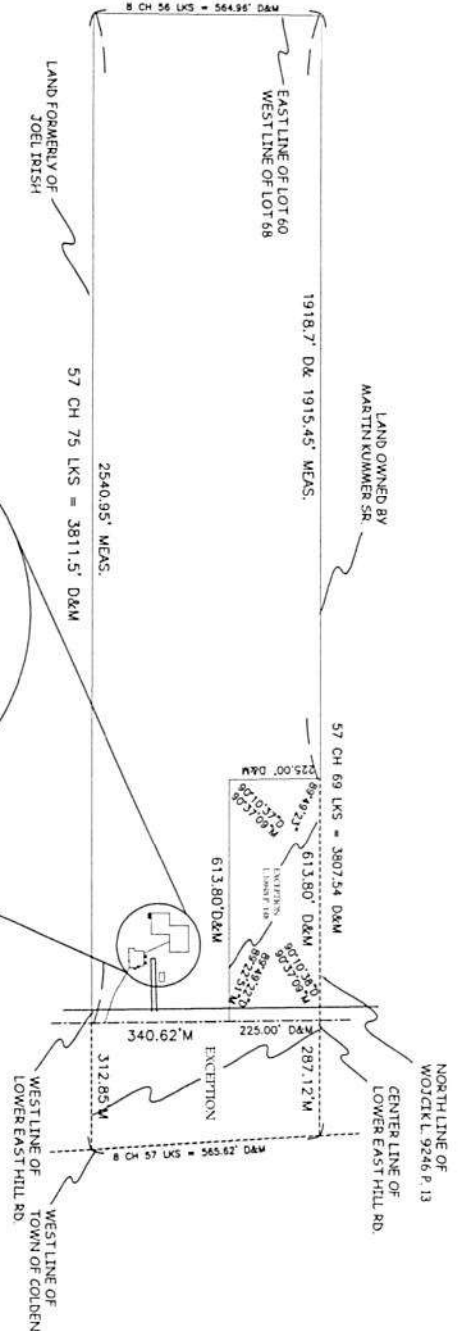
MANGUSO LAND SURVEYING, P.C.
FREDERICK M. MANGUSO, 049775-1
TRACY A. SPADA, 050806
572 TUSCARORA RD.
ANGOLANY 14006
PHONE & FAX 716 549 4717
EMAIL OFFICE@mangusolandsurveying.com

WILLIAM C. RICKLANDS
WILSON J. RICKLANDS
WILSON J. RICKLANDS

LEGEND

These standard symbols will
be found in the drawing.

- EXISTING IRON PIPE
- UTILITY HOLE
- BOUNDARY
- CENTERLINE OF ROAD
- FENCE
- DRIVE
- OVERHEAD UTILITY LINE



SURVEY NOTES

1. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY OTHER SURVEY OR RECORD THAT MIGHT AFFECT THE RESULTS OF THIS SURVEY.

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LOWER EAST HILL ROAD (66' WIDE)



8046 LOWER EAST HILL RD.			
DRAWN	DATE	PART OF LOT 68	
BAB	08/16/24	TOWN OF BOSTON	
APPROVED	DATE	COUNTY OF ERIE	
TAS	08/16/24	STATE OF NEW YORK	
SCALE	SHEET	PROJECT NO.	
1" = 300'		20240401	

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Executor's Deed

THIS INDENTURE, made the 4th day of September, 2024

BETWEEN

ROSA A. RAIMAN

residing at 88 Kent Street, Blasdell, New York 14219,

as Executor of the Estate of JEANETTE R. WOJCIK, Deceased (Erie County Surrogate's Court File No. 2023-3120), GRANTOR and

CHRISTOPHER PAUL WIETIG and LEAH BRIANA WIETIG,

as husband + wife

residing at 829 Auburn Avenue, Buffalo, New York 14222
GRANTEES,

FILED

SEP 09 2024

ERIE COUNTY
CLERK'S OFFICE

WITNESSETH, that GRANTOR by virtue of the power and authority given in and by the Last Will and Testament and in consideration of ---TWO HUNDRED SEVENT-FIVE THOUSAND and 00/100 DOLLARS (\$275,000.00), received by the GRANTOR, the GRANTOR hereby grants and releases unto the GRANTEES, their heirs and assigns forever,

SEE ATTACHED SCHEDULE A

TOGETHER with the appurtenances to and all the estate and rights which said TESTATOR had at the time of decease, in said premises.

AND ALSO, the estate therein which the GRANTOR has the power to convey or dispose of by virtue of said Will, whether individually, or otherwise.

TO HAVE AND TO HOLD the premises herein granted unto the GRANTEES, their heirs and assigns forever.

COPY 1

AND the GRANTOR has not done or suffered anything to be done whereby the said premises have been encumbered in any way whatever.

AND ALSO, that this conveyance is subject to the trust fund provisions of Section Thirteen of the Lien Law.

In Witness Whereof, the GRANTOR hereunto set her hand and seal on the 4th day of September, 2024.

IN PRESENCE OF



ROSA A. RAIMAN, Executor of
the ESTATE OF JEANETTE R.
WOJCIK, Deceased

STATE OF NEW YORK)
COUNTY OF ERIE _____) SS:

On the 4th day of September, in the year 2024, before me, the undersigned, a notary public in and for said state, personally appeared ROSA A. RAIMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the Instrument, the individual, or the person upon behalf of which the individual acted, executed the Instrument.



NOTARY PUBLIC

DEBRA A. RITZ
Notary Public, State of New York
Reg. No. 01RM4805827
Qualified in Erie County
Commission Expires 12-31-2026

Issued By:

CHICAGO TITLE INSURANCE COMPANY

Schedule A

COMMITMENT FOR TITLE INSURANCE

No: 2413-3993EC

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York, known and distinguished as a part of Lot No. 68, bounded as follows:

South by land formerly owned by Joel Irish, 57 chains and 75 links; north by land heretofore deeded to F. S. Hunt and now owned by Martin Kummer, Sr., 57 chains and 69 links; west by Lot No. 60, 8 chains and 56 links; and east by the west line of the Town of Colden, 8 chains and 56 links.

EXCEPTING THEREFROM all of the aforesaid premises as lie to the east of the center lien of Lower east Hill Road and as previously conveyed to Chester J. Barth and Valerie Barth, his wife, John L. Boka and Joan L. Boka, his wife and Knud B. Muentner and Eirin Muentner, his wife, leaving thereby approximately 34 acres of land be the same more or less.

ALSO EXCEPTING THEREFROM ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York, being known and described as part of Lot No. 68, Range 7, Township 8, bounded and described as follows:

COMMENCING at a point in the intersection of the center line of Lower East Hill Road and the north line of lands of Jeannette R. Wojcik, set forth in Liber 9246 of Deeds at page 13, recorded in the Erie County Clerk's Office on the 26th day of July, 1983; running thence westerly, forming an interior angle of 90° 10' 38" through a rebar, along the north line of the said Jeanette R. Wojcik, a distance of 613.80 feet to an iron rebar, said point being 1,918.70 feet easterly of the west line of Lot No. 68; running thence southerly forming an interior angle of 88° 49' 23" a distance of 225 feet to a rebar; running thence easterly forming an interior angle of 90° 10' 37" a distance of 613.80 feet through a rebar to the center line of Lower East Hill Road; running thence northerly forming an interior angle of 89° 49' 22" along the center line of Lower East Hill Road a distance of 225.0 feet to the point or place of beginning.

This Commitment is valid only if Schedule B is attached.

Planning Board 2024-10-08

Meeting minutes

Attendees: Dr. Paul Ziarnowski, Dr. Jim Liegl, David Stringfellow, Jay Jackson, Sarah DesJardins

Absent: Arlene Weiss, Gary Stisser, Jessica Yuhas, Elizabeth Schutt, Town Liaison Jennifer Lucachik, Attorney Ryan McCann

1. CALL MEETING TO ORDER

Meeting called to order by 730pm

2. APPROVAL OF MINUTES

September minutes

Motion made by Mr. Stringfellow to approve September minutes

2nd by: Unknown

3. OLD BUSINESS:

- a. Public Hearing - Eric Owczarkowski – Requesting Preliminary Plat Approval of a 2-lot subdivision to be located on the West side of Hunn Road

4. NEW BUSINESS

- a. none

*There is no recording of this meeting – 10.08.2024. Notes provided by Ms. Sarah DesJardins/Boston Planning Board Consultant. *

MR. ZIARNOWSKI: Opened the public hearing for Eric Owczarkowski.

There were no neighbors present for disapproval.

Mr. Ziarnowski made a motion to issue a negative declaration and grant approval.

2nd by: Unknown

ROLL CALL

Mr. Jackson - Y

Mr. Stringfellow - Y

Mr. Liegl - Y

Mr. Ziarnowski - Y

APPROVED

Planning Consultant/Ms. DesJardins – none

Town Attorney/Ryan McCann – not present

Town Board Liaison/Ms. Lucachik – not present

Board Clerk – not present

6. Motion made to adjourn

Motion made to adjourn the meeting at 7:40pm by Mr. Ziarnowski

2nd by: Mr. Jackson

Closed