

Town of Boston Planning Board

2025-06-10 Meeting minutes - Draft

Attendees: Dr. Jim Liegl, David Stringfellow, Jay Jackson, Elizabeth Schutt, Gary Stisser

Absent: Dr. Paul Ziarnowski, Jessica Yuhas, Anthony Braunscheidel, Attorney Ryan McCann, Town Liaison Jennifer Lucachik, Planning Board Consultant Sarah DesJardins

1. CALL MEETING TO ORDER

Meeting called to order by 730pm

2. NEW BUSINESS:

- a. Public Hearing for Douglas Schunk requesting Preliminary Plat Approval of a two-lot subdivision to be located at 9251 Boston State Rd

DR. LIEGL: First order of business is we have a public hearing Requesting a preliminary plat approval for a two-lot subdivision Located at 9251 Boston State Road. I would like to open that public hearing. Board Clerk/Jennifer, do we have any correspondence regarding?

BOARD CLERK: Nothing.

DR. LIEGL: Okay. Is there anybody here that has any comments regarding the subdivision? Is there anybody here that has any comments or any information regarding the subdivision?

JEFF MAGAVERN: Jeff Magavern, I'm an attorney in Hamburg. I'm here on behalf of Douglas Schunk and obviously we're here with his brother and his mother and his wife who are obviously in favor because it's his property, but we'd like to see this thing approve tonight.

DR. LIEGL: Well, that's good to hear. Thank you. Is there anybody that is opposed to the subdivision here? There's nobody here. Does any of the board members have any additional questions?

MR. JACKSON: I'll observe it seems appropriate.

MR. STISSER: Looks good. Yeah.

DR. LIEGL: Okay, then we need a motion. I would like to make a negative declaration that we approve the preliminary plat approval of a two-lot subdivision to be located at 9251 Boston State Road. Do I have a second?

2ND BY: MR. STRINGFELLOW

DR. LIEGL: David has seconded. All in favor. (ALL IN FAVOR BY BOARD) Any opposed? The public hearing is closed. Congratulations! It's been a long trip for you.

ATTORNEY MAGAVERN: Thank you!

DR. LIEGL: Do we have any new business?

BOARD CLERK: Nothing's being planned for July at this time.

DR. LIEGL: Okay.

MR. JACKSON: No applicants.

3. OLD BUSINESS

None

4. APPROVAL OF MINUTES

April meeting minutes

May meeting minutes

DR. LIEGL: Approval of minutes. We have two minutes to approve. We have the April meeting minutes to approve, which were tabled at our last meeting because We didn't have enough people who attended that meeting to approve the minutes. Has everybody reviewed the April minutes that we're here for the meeting? Any questions? Any additions, changes?

MR. JACKSON: For the April minutes, I will be abstaining.

DR. LIEGL: I know you will. That's why we're doing it again.

MR. JACKSON: I thought you were asking me if I had any additions or changes. The four of us were here for the April minutes.

MR. STISSER: I will make a motion to approve the April minutes.

2ND BY: MR. STRINGFELLOW

DR. LIEGL: Gary made a motion. David seconded. All in favor? (ALL IN FAVOR) Any opposed? (none) Okay, minutes approved. May meeting minutes.

MR. STRINGFELLOW: I have a question about those minutes. I was tempted to speak out of turn and ask Mr. Magavern to stay. Early in the meeting I asked the question: do they have sufficient footage to meet the code? Mr. Magavern answered, 25 feet of frontage on each lot. Code requires 100 feet of footage. What happened was he probably misspoke. The frontage is actually 125-feet. DR. LIEGL: Yeah, it's 125.

MR. STRINGFELLOW: The minutes show that he said 25 feet, and we started questioning it, and then the meeting went into, 25, survey and you know, and the business about property line being the center of the road. We never came back to that. There is nothing in the minutes that shows anything other than we approved 25-foot frontage in a 125-foot zone, 100-foot Zone.

MR. JACKSON: He actually said 25-feet, Jennifer, you're figuring.

MR. STRINGFELLOW: I recall him saying 25 feet, because that's what rang the bell with me. We had nothing that small in our zone. So, he probably simply misspoke.

DR. LIEGL: I think he did because we did look it up.

MR. STRINGFELLOW: Mr. Magavern is still out in the hall. Yeah, I don't know if he is. I don't know whether calling him in would do any good or if we just let it go as it is.

DR. LIEGL: We could correct what he said. I think he meant 125.

DR. LIEGL: Mr. Stringfellow has a question for you regarding our minutes from the last meeting.

ATTORNEY MAGAVERN: Certainly.

MR. STRINGFELLOW: According to our minutes at the last meeting, I said: I have not seen a survey. Do they have sufficient frontage to meet the code, and you answered 25 feet of frontage on each lot.

ATTORNEY MAGAVERN: I think that's incorrect. I said 125 feet. Okay, so you did say 125 feet.

MS. SCHUTT: We were having a lot of trouble with the microphones at the last meeting.

MR. STRINGFELLOW: Okay, I know when you said it, all I heard was the 25.

ATTORNEY MAGAVERN: Do you want a survey so you can see it?

MR. JACKSON: The question is about the minutes.

MR. STRINGFELLOW: If you really said 125, we should correct the minutes to say: Mr. Magavern said 125, instead of 25.

ATTORNEY MAGAVERN: Yes, I'm sure I said 125.

MR. STRINGFELLOW: Then that would clear the whole thing up.

ATTORNEY MAGAVERN: Okay, sounds good.

MR. JACKSON: Thank you for your time.

MR. STRINGFELLOW: Thank you very much for coming back.

BOARD CLERK: I'll have those corrected.

DR. LIEGL: What was the other issue David, about the property lines, the way they work.

MR. STRINGFELLOW: No. It's just that the conversation drifted from the frontage into that next issue. I didn't have any questions for the second item. The only question I had was the thing showing 25 feet.

DR. LIEGL: Okay, all right, I thought you meant about the survey going into the middle of the road, the highway.

MR. STRINGFELLOW: I just mentioned that as the conversation drifted to that and never got back.

DR. LIEGL: All right. Just before the meeting I spoke to Sarah about that survey, and I did mention that David mentioned that sometimes in the old surveys that they went to the middle of the road. Sarah says, yes, I understand that, that is true, but I like my surveys to end at the right of way.

MR. STRINGFELLOW: The survey is a legal record. Sarah wants does not carry any weight at all. It all worked out.

DR. LIEGL: It all worked out, but that was good information. I didn't know that. I didn't know that some of the property lines went to the middle of the road either. That's okay. So, the minutes have to be amended for the 125-feet.

MS. SCHUTT: I would like to make a motion that you please amend the minutes to state that it says that the attorney stated 125 feet of frontage on each lot.

2ND BY: MR. STRINGFELLOW

DR. LIEGL: All in favor? (ALL IN FAVOR) Any opposed? (none) Any reports? Was there anything from the planning consultant, Town attorney, Town board liaison, board clerk?

BOARD CLERK: I have one message from councilwoman Lucachik. She's going to get a code meeting together soon. More to follow.

DR. LIEGL: Oh, okay. Haven't had one in a while.

BOARD CLERK: Going to get one together via Zoom, since it's been a challenge to get people together in person.

MR. STISSER: Isn't it usually before the planning board, maybe like half an hour before or something?

BOARD CLERK: I don't know that.

MR. JACKSON: It has been a while. She's going to be a great loss.

BOARD CLERK: More to follow on that, but she wanted me to make a mention that she's trying to put that together. Other than that, I don't have any other notes. Nothing planned for July but there will be an applicant for August, so far.

Planning Consultant/Ms. DesJardins – Not Present

Town Attorney/Ryan McCann – Not present

Town Board Liaison/Ms. Lucachik – Not Present

Board Clerk – none

6. Motion made to adjourn

Mr. Stringfellow, have a motion to adjourn?

DR. LIEGL: I'll make a motion to adjourn.

2ND BY: MR. JACKSON

Meeting is adjourned at 7:41PM.