

TOWN OF BOSTON PLANNING BOARD
Meeting Minutes – 03.08.2022 – draft

Attendees:

Chairman Dr. Paul Ziarnowski, Elizabeth Schutt, David Stringfellow, David Bowen, Gary Stisser, Jay Jackson.
Councilwoman Jennifer Lucachik, Attorney Sean Costello, Planning Consultant Sarah Desjardins

Absentee:

Jim Liegl

1. Chairman Dr. Ziarnowski called the meeting to order at: 731pm

2. APPROVAL OF MINUTES

Approval of minutes from January 2022

Motion to accept the January minutes made by Mr. Jackson.

2nd by Mr. Stisser

All in Favor? Yes, by All Members

APPROVED

3. NEW BUSINESS

MONACO LANDSCAPING - Kevin Monaco requesting site plan approval of a proposal to construct a 12,000 square foot building at the Abbot Road address.

Mr. Ziarnowski went over the past history about Monaco Landscaping. Mr. Monaco came to the Planning Board in 2015 and wanted to do an expansion on his commercial building. Question was whether or not he could put up the glass greenhouse. At that time, it was recommended to Mr. Monaco to clean up the zoning to keep the business in town. Monaco applied to agricultural district in Erie County and even though he is Zone C1, he is able to have agricultural ventures. This approval does not supersede the C1 Zoning. Mr. Monaco is present because he wants to put up a building. Further discussion about the use of the building provided by Mr. Ziarnowski about how the building is used. The building must be used for agricultural only, not for other storage purposes, such as other people's vehicles, etc.

Ms. Desjardins and Mr. Ziarnowski met with Mr. Monaco with trying to make this work. Also met with the Code Enforcement Officer.

Kevin Monaco spoke at the meeting. Looking to erect a 60x200 on the north side of the property. This is next door to Boston Valley Terra Cotta. Explained that they never expected to outgrow the current space. Need more room for equipment and potting machines. With the request, would also want to lease a part of the building until able to grow into it.

Permit submitted to Building Inspector and have filed for a use variance permit.

Mr. Ziarnowski confirmed that the use variance request was submitted and this was also suggested by Ms. Desjardins. One option was to change the zoning on the building to C-2 from C-1.

Mr. Monaco talked about the type of work being done and the employees that are working on jobs.

Mr. Ziarnowski recommended that Mr. Monaco go to the ZBA next. One item requested was to have copies of the elevations but nothing more for the Planning Board at this point.

Questions?

Ms. Desjardins commented that this applicant can be put on Planning Board agenda next month (April).

Closed.

4. OLD BUSINESS

DEANNA DRIVE

Attorney Mr. Sean Hopkins spoke on behalf of Wetzel Development LLC, Glenn Wetzel, with Mr. Pat Sheedy. Mentioned that July 13th was last discussion of the project, Cluster Sub-Division on 24.2 acre parcel. Zone R-2. Lots is 34. As per request from the Board, some permanent open space and walking trail requested.

This was talked about with looking at the drawing/plans.

The previous plans, allows some changes - pull back from Five Mile Creek. Important - Jan 19th - Preliminary Plat submitted. Mr. Hopkins talked about behind the property, part being flood way and wet lands. *Mr. Hopkins talked about project as looking at the plans.

On January 18, 2022, they filed a complete Pre-Liminary Plot application which included a detail letter. The Town did issue a 30 day lead agency solicitation letter. Only received two comment letters back. *This was described to the Board. Mr. Sheedy has submitted fully engineered plans and received a copy of the comment letter that was issued by LaBella on March 1st. Response letter prepared by Mr. Sheedy. *Board had copy of letter.

Mr. Hopkins mentioned that he spoke with Planning Board Chairman and one comment was to increase the height of the light standards beyond the proposed 12ft. After discussion, they will keep the 12ft lights - will not be increasing.

Other comments pertain to the setbacks that are being proposed and they do comply to Zoning Code.

Will be providing the necessary easements. *Mr. Hopkins referred to the drawings.

Depth and specifications – A response was given to show a 30ft depth

Next comment dealt with drainage on whether or not there should be a second bio-retention area. Mr. Sheedy to look at and if appropriate, it will be provided.

Further comments were brought up and talked about the drainage on Deanna Drive. The applicant will comply with the 2022 standards.

Comment on whether or not the Planning Board would like to see a landscape plan. Discussion with the Chairman and it was conveyed to provide this for the Board Members.

The diameter of the radius needed a minor adjustment.

Request to submit a geo technically report. This has been ordered and will be submitted upon receipt.

Sight lighting – as previously discussed, this will be kept at a height of 12ft

Homeowner Association – This is to be formed by the NYS Attorney General Office.

This is the first presentation since providing the fully engineered plans.

Next steps in the review process:

1. Need to issue a determination in pursuit of the SEQR
2. Hold a public hearing

Mr. Ziarnowski confirmed this is being a cluster and not the original plan and suggested Mr. Hopkins to explain more to the audience. *Mr. Hopkins addressed the audience.

Mr. Ziarnowski talked to Mr. Wetzel regarding the setback/foot print, our code says 5 for side yard setback, the plan is to provide 8. This was discussed more between the Board and Mr. Wetzel. The house would be centered on the lot. There are 15ft in between the lots.

QUESTIONS?

Mr. Jackson asked a question about the sewer lines under the road and the long-term maintenance concerns. Are there sidewalks? RESPONSE: Yes

Mr. Hopkins commented about the maintenance of the sidewalks and it would be the responsibility of the property owner.

Mr. Teelak made comments of the sewer under the roads. Asked about lines on each side of the road. Asked further question about the trenches. Trenches typically don't heave but roads do. Strongly suggest to have the sewer go down the side of the roads.

Talked further about sidewalks. Mr. Teelak asked: Who pays for the sidewalk? RESPONSE: The developer. Ms. Lucachik asked a question: The cul-de-sac was increased a couple of inches, is it sufficient for a garage truck and hose truck? RESPONSE: Yes.

Access road - Asked for process for emergency responders. RESPONSE: Mr. Hopkins asked Mr. Sheedy to talk more about the emergency access, etc. Mr. Ziarnowski talked about a dead end on the cul-de-sac.

QUESTION - Mr. Teelak asked about the drain line? Mr. Wetzel reviewed the design with Mr. Teelak while looking at the drawings. Concerns regarding the other neighbors. RESPONSE: #2 stone being used, not gravel. Is old Deanna Drive being re-paved? If not Re-paving, there will be restrictions for heavy trucks.

Mr. Ziarnowski talked about the existing property owners on Deanna Drive. RESPONSE: Chris/LaBella responded. Chris/LaBella talked about the project and will focus on the drainage and should be improved. QUESTIONS?

Ms. Desjardins suggested to schedule a public hearing. We have the Engineer Plans, Coordinator view has been done, 30 days is up.

Questions? None from the Board.

Neighbor spoke up – Ron(unknown last name) - concern with the drainage. Are the existing lots part of the new project? Are the eight existing lots going to be included? Utilities underground - Does this affect the current residents. Concerns with more traffic. RESPONSE: Mr. Wetzel commented that the drainage should be improved. Ron not happy with that response.

Other resident -Julie (unknown of last name) - spoke up (home on end of road) - concerns with the drainage. Chris/LaBella - town engineer - talked about the flow of the drainage. Mr. Sheedy talked closely to the resident with the drawing.

Other homeowners discussed the plans further – discussion in the audience.

Mr. Ziarnowski brought up about the previous problem before this development came into play. How is it this developer's responsibility?

Ron/homeowner spoke more about his concerns. Another homeowner asked about cleaning out the ditch on Deanna Drive. He lives on Willow. Mr. Teelak responded regarding the ditches.

Chris/LaBella can review the downstream and assess.

Mr. Ziarnowski mentioned Mike Simon - meeting with him - Regional Civil Leader with LaBella - this meeting will occur in the next week or so. Recommendations will be made to the Town.

Ms. Desjardins commented that by law, the developer cannot make the problems worse.

Mr. Costello talked about the drainage having to do with the project.

Mr. Sheedy answered questions from a homeowner, who lives on Willow.

Mr. Ziarnowski commented that Chris/LaBella will get with Mike Simon.

QUESTIONS?

Mr. Hopkins mentioned that it would be good to include Mr. Sheedy with any upcoming meetings to help explain any questions that come up.

Ms. Desjardins advised that we should make a motion to schedule a hearing for April.

Mr. Costello asked if we needed a hearing on SEQR? RESPONSE from Ms. Desjardins: There is no need to do a public hearing on SEQR but we do have to declare ourselves as Lead Agency.

Motion made to schedule a public hearing by Ms. Schutt

2nd by Mr. Stisser

All in Favor? Yes, by all member

APPROVED

Mr. Hopkins to provide copies to Ms. Desjardins - hard copies and electronic copies.

REPORTS

Planning Consultant. Question? Would you like paper copies or electronic copies? RESPONSE: Paper

Can send electronic too

Attorney – none

Clerk - none

Liaison - none

Motion to adjourn made by Mr. Jackson

2nd by Ms. Schutt

All in favor? Yes, by all members

Adjourned at 812pm