

Planning Board meeting minutes\_draft  
07.12.2022

Attendees: Dr. Paul Ziarnowski, Dr. Jim Liegl, Jay Jackson, Elizabeth Schutt, David Stringfellow, Gary Stisser, Town Liaison/Jennifer Lucachik, Attorney/Sean Costello

Absent: David Bowen

1) Call meeting to order

Meeting called to order by Mr. Ziarnowski at 730pm

2) Approval of Minutes

June meeting minutes -

Motion made by Mr. Jackson to approve the minutes from June 14<sup>th</sup>.

2<sup>nd</sup> by Ms. Schutt

ALL IN FAVOR

APPROVED

April meeting minutes –

Motion made by Mr. Liegl to approve the April minutes.

2<sup>nd</sup> by Mr. Stisser

ALL IN FAVOR

APPROVED

May meeting minutes –

Motion made by Mr. Stisser to accept the minutes from May

2<sup>nd</sup> by Mr. Jackson

ALL IN FAVOR

APPROVED

3) New Business –

7008 Omphalius Rd, LLC requesting pre-liminary approval of a 2 lot sub-division to be located at 7008 Omphalius Rd

Applicant/Tracy Hirsch, 8191 Cole Rd, Colden, spoke about taking approximately 125-acre parcel and selling 15 acres, only. Talked about a sub-division but this is not a sub-division but is dividing into 2 parcels. Mr. Jackson mentioned that this type of request is called a ‘minor’ sub-division, taking one piece and cutting it into two. RESPONSE: The board may understand this concept, but many neighbors did not realize and wanted to clarify this is all that was being done. Just selling 1–15-acre parcel, that’s it, for a single-family home.

Mr. Ziarnowski asked about a memo received from the Assessor regarding the address change.

RESPONSE: Originally, 7008 was the previous owner as a farm/homestead and when it was purchased, the home was sold and 7 acres. All the rest of the land, according to the Assessor, 7008, was used.

Asked the Assessor if a number could be given strictly for the ‘land’ and that is what was done. The Assessor provide 7044. All of the land is basically referred to as 7044 and the homestead and the 7 acres is 7008. This is the clarification provided to the Board.

Mr. Ziarnowski asked Mr. Costello/ Town Attorney, if this is ok. Mr. Costello advised that it is important for the minutes. We need the proper address listed in the minutes, so we know what property is being discussed. That is the reason for the email from the Assessor.

Ms. Desjardins commented that if there is a public hearing, we need the correct address.

RESPONSE: When the property was purchased, it was set up as a LLC as 7008 Omphalius Rd, LLC and since then, the address was changed to 7044 Omphalius. So, the address associated to the 7 acres is 7008 but the land that is being sold is part of 7044 Omphalius until such time, the purchaser of the land closes on the property, then he will get a new address from the Assessor. The purchaser of the land is present is there were any questions.

Mr. Ziarnowski commented on the nice job of the survey received. RESPONSE: It was asked by one of the board members to have the information reflected. (Ms. Desjardins helped the applicant)

Questions? None

Mr. Ziarnowski commented on how this was straight forward but have to jump through hoops, but it is Town code. Next step would be to have a motion for public hearing. RESPONSE: Mr. Hirsch has gone around and spoke to the neighbors.

Motion made by Ms. Schutt to set up a Public Hearing at the next meeting

2<sup>nd</sup> by Mr. Stringfellow

ALL IN FAVOR - Approved

#### 4) Old Business –

- a. Glenn Wetzel requesting pre-liminary plat approval of a 34-lot cluster sub-division, as an extension of Deanna Drive

Applicant – Peter Sorgi/Attorney present to talk about the request for pre-liminary plat approval.

Believes the conditions have been circulated and can answer any questions. Seeking pre-liminary plat approval.

Mr. Ziarnowski asked if there are any questions?

Mr. Stringfellow had questions. Noticed where the road is to be built on Deanna Dr., planting about 15 spruce trees in the right of way. This is not going to be a town road, which would be all right since the Town would never allow that. Mr. Ziarnowski commented that this is going to be a Town road.

Mr. Sheedy commented about the trees and how they were installed at the request of the Board, and was discussed that the trees would provide some privacy. Mr. Stringfellow understands that the trees are intended to be a buffer. Attorney Sorgi commented that it will not interfere with the utilities. Mr. Stringfellow asked if the Town is going to maintain this road or the Homeowner's Association.

RESPONSE: The Town is to handle the road.

Mr. Stringfellow commented that they need approval from the Highway Superintendent. He commented about seeing several people in the Town of Boston being irate because the Highway Superintendent cleared down trees that they considered in the front of their property.

Ms. Desjardins commented that will have the Highway Superintendent sign off on the plans. Mr. Ziarnowski confirmed that the Highway Superintendent needs to sign off on the plans. Mr. Stringfellow commented that he does not think it will get approve but it is up to the Highway Superintendent. At the end of the existing Deanna Dr, is what is referred to as a T-turn around and it appears that this is going to be kept. He mentioned that if you look a the code, the T-turn around is a temporary turn around and it is used when it is anticipated that the road will, at some time, be extended and the lot and the other arm of the T will then revert to the original owner. With this design, there is no way that road can be extended. RESPONSE: Mr. Sheedy advised that the T would have to be kept for emergency vehicle access. Mr. Stringfellow then commented that the Code would require the need to be labeled as a cul-de-sac, due to code. This may need to be asked from the Highway Superintendent. RESPONSE: Mr. Sheedy commented that he was not aware of this. Mr. Stringfellow commented about his understanding of a cluster sub-division; cluster all the houses together to leave recreational space/useful space for the people outside their lots. All that is seen are two walking trails where one is 400ft. If you live more than three houses down from the beginning of the walkway, you will walk more

than 400ft from the house to the trail. And 700ft, you would have to walk 6 houses down the street to the walking trail. These walking trails are not going to be useful. Maybe for the lots close to them but not for everyone else. He was looking for a field or some reasonable recreational area etc.

RESPONSE: Mr. Sorgi commented that the intent is to preserve a certain amount of open space.

Talked about provisions for parks in a sub-division but would cause more maintenance and not the purpose.

Mr. Stringfellow commented that a park would be part of the Homeowners Association. RESPONSE:

Mr. Sorgi understands that, however, this would be an increase to the HOA, etc. The purpose of a cluster is to reduce the amount of infrastructure. Previous projects done have just been an open space. A park is what the Town has for recreational purposes. Don't feel the residence would want a park; it is more of a passive space.

Mr. Stringfellow commented about the other residence in the town have a big enough yard to play.

Here, we are squeezing yards down and getting nothing back in return. space. RESPONSE: Typically, these types of homes are not for families with kids; for people looking to downsize.

Mr. Stringfellow commented on trying to envision what this will look like when it is done. Commented further about the model of the homes, identical homes. The previous proposal, first, used all the land and there was no vacant land to be maintained; second, the intent was to sub-divide and then sell lots where people would build their own house. Essentially, there would be 34 different homes rather than 7 of each model. Doesn't feel this is right for town of Boston. RESPONSE: This project has already been authorized.

Mr. Stringfellow commented that the Planning Board never authorized but agreed to consider it.

Mr. Ziarnowski made comments about the project. At the beginning of this project, was the concern of the adjacent landowners and have had several conversations. Feels that Mr. Wetzel has gone over and above to accommodate. First, wish this wasn't here, but it is. On the other hand, in my mind, need to look at the idea of a cluster, it preserves green space. Right away is available. Talked to Attorney Sean Hopkins and how something different can be done in this town. Maybe Mr. Stringfellow is right, and this will not work. Don't know. Mr. Wetzel has complied with dark sky lighting. Have no problem with this project. This is probably the first time Mr. Ziarnowski and Mr. Stringfellow are not on the same page. There is not a lot of property left in Town for sub-divisions. Got an ok.

Ron was asked to speak. Agrees with what has been discussed. Zoned R2 and has helped the existing neighbors. Talked about cluster homes.

Mr. Ziarnowski talked to Sean and the most impacted neighbor is Sean & June Mullin (property 5), the last home on the exiting Deanna Dr. and it was agreed to put in a boundary. She just requested a couple of trees.

Mary Shurelli, Deanna Drive resident and wants a vinyl fence instead of trees. That needs to be talked to the developers. Attorney Costello stated that this is a bit late to ask. This can be further discussed. Attorney Costello advised that the conditions can be talked about.

Motion made by Mr. Ziarnowski to except pre-liminary plat in contingent with the conditions submitted 2<sup>nd</sup> by Mr. Stisser

ROLL CALL

Mr. Liegl – Yes

Ms. Schutt – Yes

Mr. Stringfellow – No

Mr. Stisser – Yes

Mr. Jackson – Yes

Mr. Ziarnowski – Yes

APPROVED

Mr. Ziarnowski asked when to come back to the Planning Board and the response was possibly September

5) Reports

- a. Planning Consultant - none
- b. Town Attorney – none
- c. Town Board Liaison – none
- d. Board Clerk - none

Arlene Weiss looking for interview for being on the Planning Board

Motion made by Mr. Ziarnowski to go into Executive session for the purpose of an appointment of a particular individual

2<sup>nd</sup> by Mr. Jackson

APPROVED

Motion made to close Executive session by Mr. Ziarnowski

2<sup>nd</sup> by Mr. Stringfellow

APPROVED

Needs to go to Town Board

Attorney Costello advised that a motion be made that the Town Board act favorably upon the application

Motion made by Mr. Stringfellow that the Town Board act favorably upon the application

2<sup>nd</sup> by Mr. Ziarnowski

ROLL CALL

Mr. Liegl – Yes

Ms. Schutt – Yes

Mr. Stringfellow – Yes

Mr. Stisser – Yes

Mr. Jackson – Yes

Mr. Ziarnowski – Yes

APPROVED

Letter to be sent to Sandy to get on the Town Board agenda next month and would be as an alternate

6) Motion to adjourn – motion to adjourn by Mr. Ziarnowski

2<sup>nd</sup> by Mr. Stringfellow

Closed at 8:08pm

APPROVED