

PRESENT: Paul Jusko, Chairman
Patricia Hacker, Vice Chairman
Kevin Maxwell, Secretary
Margaret Andrzejewski
Jeff Mendola
David Stringfellow

EXCUSED: Michael Pohl

ABSENT: J. David Early

ALSO PRESENT: Councilman Dennis Mead – Town Board Liaison
Michael Perley, Town Attorney
Dennis Kramer, Code Enforcement Officer
Frank Lisowski, Deputy Code Enforcement
Richard Brox, Planning Consultant

Chairman Jusko called the meeting to order at 7:30 P.M.

MINUTES

Chairman Jusko asked if there were any additions or corrections to the minutes February 26, 2002. Being none Mrs. Hacker made a motion to accept the minutes, second by Mr. Stringfellow. All in favor.

CORRESPONDENCE

Mr. Maxwell reported the following correspondence:

- letter dated February 28, 2002 to Town Board recommending approval of FOP Application for an additional multi family dwelling at 7287 Boston State Road
- received notice of the 9th Annual Southern Tier West Local Government Conference, on May 9, 2002 at Houghton College
- other items to be read at point in agenda

Mr. Jusko commented on the updated pages for Code Books. He asked why Local Law 1-1997, regarding the six-month moratorium on special use application for the construction of a telecommunication tower, was not included in the update. Mr. Brox stated that code, for towers, was adopted.

LIAISON – COUNCILMAN MEAD

Councilman Mead reported:

- that he hoped the planning board room table was satisfactory, and future renovation is being considered in the Planning Board room
- the Town Board at its meeting of April 3, 2002 passed Resolution 2002-14: To amend the schedule of fees for the Town of Boston, adding the Code Book for a cost of \$150.00; Zoning Core Pamphlet for a cost of \$20.00; and Official Zoning Map for a cost of \$75.00 .
- the Town Board at its meeting of April 3, 2002 passed Resolution 2002-16: To amend the (driveway) construction specifications of the Town of Boston

DOUGLAS WITTMAYER – CHANGE OF USE REQUEST

Mr. Perley reminded the members that this discussion is just a preliminary review and that the application is for a change of use at 7186 Boston State Road. Chairman Jusko said that certain requirements had not been met and Mr. Wittmeyer needs to follow Chapter 97 of Town Code, for site plan review. Mr. Jusko added that an issue at this location is the signage that Mr. Wittmeyer has installed on the building. Deputy Code Enforcement Officer Lisowski said that the wall area is sufficient for the ‘jewelry’ and ‘gold’ signs, but the ‘diamonds’ sign is too large by 1.5%.

Mr. Lisowski added that he would like to see signage become part of the site plan review.

Mr. Perley read from Town Code:

Section 123-167 A – The Town Board/Planning Board shall review the site plan and supporting data and take into consideration the following:

- (1) Harmonious relationship between proposed uses and design and existing adjacent uses and architectural features

He added that this is a highly unusual event; there is no sign like it in Town; and this Board should raise the issue to the harmony with other signs in Town.

Mr. Jusko read from Town Code:

Section 95-5 A – Regulations governing illumination of signs.

- (1) An illuminated sign or lighting device shall not be placed so as to permit the beams and illumination there from to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that constitute a traffic hazard.

Mr. Brox referred the members to Town Code – page 9509 – Wall identification signs.

Several discussions continued with the illuminated signs being a main topic of discussion. Mr. Lisowski said that he had talked to Mr. Wittmeyer following the instance that the signs were lit all night. He said that Mr. Wittmeyer was receptive to this concern. Mr. Lisowski added that he believes Mr. Wittmeyer would be open recommendations that this Board may have.

Mr. Maxwell asked if the building is handicapped accessible. Mr. Perley responded as this building being a single floor construction, this should be easily remedied if it is not already handicapped accessible.

Mr. Jusko asked that a letter be sent to Mr. Wittmeyer advising him:

- to follow applicable section of Town Code for site plan review
- submit updated site plan
- re-delineate parking plan for his business needs
- address handicapped parking

and to advise Mr. Wittmeyer that the current signage will be addressed.

BARDEN HOMES – LOT #2 – HICKORY MEADOWS

Chairman Jusko stated this request is a mirrored version of the Kirst application that was received in February. He asked Mr. Perley if the issues had been addressed for that application. Mr. Perley said yes, even though the easement hasn’t been signed as of yet; but should this Board recommend to allow the second driveway, it is his intention to meet with both parties regarding the issues on Roy Place: specifically, that both parties each have an independent obligation for maintaining the entire area of the paper street. He added that the Town has a six-month to one-year provision to revoke the easement

Chairman Jusko asked if there were any questions regarding the application of Barden Homes.

Being none Mr. Stringfellow made a motion to recommend approval, but as this paper street being Town property, the Planning Board would request that appropriate legal documents be prepared by the Town Attorney addressing such issues as: indemnification, damages, and drainage. Seconded by Mrs. Hacker.

Barden Homes, con't

The vote was as follows:

Mrs. Andrzejewski – yes	Mr. Maxwell - abstain
Mrs. Hacker – yes	Mr. Mendola – yes
Mr. Jusko – yes	Mr. Stringfellow – yes

CODE ENFORCEMENT OFFICER KRAMER

Nothing at this time.

Chairman Jusko asked if there is any other business to be brought before this Board.

Mr. Maxwell asked the status of the North Boston Fire Company's request to have a mobile home on site for fire practices.

Chairman Jusko stated on June 27, 2001 this Board requested a formal survey indicating the location of the trailer, the pole barn, driveway, permanent facilities, all setbacks and adjoining property owners. There has been no response to this request.

Mr. Perley said a letter should be sent stating that the fire company has until the end of April to file the plans and if not received, the Planning Board will review on its own motion without the benefit of the plan.

Chairman Jusko will send a letter of this nature to Sean Crotty who represented the North Boston Fire Company on the initial application.

Chairman Jusko asked if there is any other business to be brought before this Board.

Being none Mr. Stringfellow made a motion to adjourn at 8:08 p.m. Seconded by Mrs. Andrzejewski. All in favor.

Respectfully submitted,



Kevin G. Maxwell
Secretary

KGM:tjf