

**PRESENT:** Patricia Hacker, Vice Chairman  
J. David Early  
Tom Edington  
Kevin Maxwell  
David Stringfellow  
Zintars Zadins  
Margaret Andrzejewski, Alternate

**EXCUSED:** Paul Jusko  
Michael Pohl

**ALSO PRESENT:** Town Attorney Michael Perley  
Code Enforcement Officer Dennis Kramer  
Councilman Dennis Mead  
Richard Brox , Planning Consultant  
Jill McCauley – Hamburg High School Student – Participate in Government Class

Vice Chairman Hacker called the meeting to order at 7:32 P.M.

**MINUTES**

Mrs. Hacker asked if there were any additions or corrections to the minutes of November 14, 2000. Being none, Mr. Edington made a motion to accept the minutes, second by Mr. Early. All were in favor.

Prior to the start of agenda items Mrs. Hacker asked for discussion of those members present, of the December 26, 2000 meeting. It was the consensus of those members present that the meeting be cancelled providing this was in agreement with those businesses with site plans before this Board for review.

Mrs. Hacker advised Mr. Maxwell that his term is expires on February 1, 2001. A request for re-appointment should be sent to the Town Board prior to their meeting dates of January 3 and January 17, 2001.

**CORRESPONDENCE**

Secretary Zadins noted the following received:

- Read referral from Town Clerk Shenk notifying this Board of the referral of Charlap's Dairy site plans
- Read letter from Conservation Advisory Council Chairman Mary Alice Tock regarding 'open space' concerns of CAC members
- Distributed Southtowns Rural Preservation Company site plans

**LIAISON – COUNCILMAN MEAD**

Councilman Mead reported from the Town Board meeting of December 6, 2000:

- Referral of Charlap's Dairy site plan
- Referral of Southtowns Rural Preservation site plans
- Requested that the Planning Board Representative to Master Plan Screening Committee give this Board updates as the procedure continues.

CHARLAP'S DAIRY

Mrs. Hacker asked for any comments, questions or discussions.

Mr. Brox stated that this small addition to the loading dock area would not have any impact on parking or the driveway area. He added that he did not see any problem with the Planning Board recommending approval. Mr. Brox said he did not see any need for additional screening to the adjacent neighbor. Mr. Brox did question the concrete pad that may have been an old fuel storage container.

Mr. Edington said that the fuel pumps are gone.

Mr. Perley recommended that before approval is given, to verify that the underground tanks have been removed in accordance to DEC guidelines.

Mr. Maxwell stated that this is the time of opportunity to address the parking situation around this building. With this addition, and with the increase in tractor-trailer deliveries, congestion along Route 391 will most likely be increased.

Mrs. Hacker said that the addition would eliminate three parking spaces.

Mr. Perley said that if this building use changes, from manufacturing to distribution, the Planning Board would be within their rights to request a site Plan. He explained that the stress on the property is different. He added that the law is written that property can not be changed from one permitted use that is supported by that property, and convert to another permitted use in the same Zoning district, that can't be supported by the property. Mr. Perley recommended that this Board and the Town Board make a determination if the property can support the use.

Mr. Maxwell made a motion to table the matter until the January 9, 2001 meeting, pending receipt of the information requested as follows:

- Underground gas storage receptacles have been properly removed or will be properly removed in accordance with Department of Conservation regulations
- Traffic plan including ingress/egress
- Parking pattern for existing retail business
- Ease of accessibility to property for tractor trailer traffic

This motion was second by Mrs. Hacker. All were in favor.

CODE ENFORCEMENT OFFICER KRAMER

Mr. Kramer addressed the site plan submitted by the Southtowns Rural Preservation Company, for the addition of 9 rental units to the existing 3 units.

Mrs. Hacker asked if the property would accommodate the addition of 9 units. Mr. Kramer said that it would.

Mr. Perley said the parking area would need to be addressed.

Mr. Kramer also addressed the change of a lot size in the Boston Hills Subdivision. Mr. Perley explained that the builder built a home right on the lot line; to rectify, Mr. Eckis is giving the property owner additional land to meet side line setback requirements. Mr. Perley further explained that with this additional property, a certificate of occupancy would not be issued until the Planning Board approves a change in the lot dimension.

Vice Chairman Hacker asked if there was any other business to be brought before this Board.

Being none, Mr. Edington made a motion to adjourn the meeting. Second by Mr. Stringfellow. All were in favor.

Respectfully submitted,



Zintars Zadins  
Secretary

ZZZ:tf