

PRESENT: Patricia Hacker, Chairman
Margaret Andrzejewski
J. David Early
Paul Jusko
Jeff Mendola
Michael Pohl

ALSO PRESENT: Dennis Kramer Code Enforcement Officer
Dennis Mead Town Board Liaison
Richard Brox Planning Consultant
Theresa Betz Day Care Center
Jim Rumsey Architect, Day Care Center
Rich Horton Contractor, Day Care Center
Shawn Horton Contractor, Day Care Center
Nick Charlap Charlap's Dairy
William McCauley 5860 Woodlee Court

EXCUSED: Kevin Maxwell
David Stringfellow

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

MINUTES

Mrs. Hacker asked if there were any additions or corrections to the minutes of January 28, 2003. Being none, Mr. Jusko made a motion to accept the minutes, seconded by Mrs. Andrzejewski. All in favor.

CORRESPONDENCE

Chairman Hacker reported the following correspondence:

- Letter dated January 30, 2003 to the Town Board recommending that sign review be added to Site Plan Review
- Letter dated January 31, 2003 to Theresa Betz asking for additional information and sufficient copies of the Site Plan for her project

LIAISON – COUNCILMAN MEAD

Mr. Mead reported from the Town Board meeting of February 5, 2003:

- FBI Application for co-location
 - Referred to Planning Board for review and recommendation
 - Town Board waived application fee
- Southtowns Rural Preservation Co.
 - By resolution, the Town Board denied SRPC request for additional apartments at 9441 Boston State Road
 - SRPC likely to file Article 78

F.B.I. – REQUEST FOR CO-LOCATION

The Board members reviewed the application and letter of request that were distributed.

Mr. Jusko asked if any further information was received with the application?

Mr. Kramer said that Town Clerk Shenk notified the FBI, after it was determined that they were on the tower without the proper papers on file, and all they did was fill out an application.

Councilman Mead said that the Town Board referred the request to the Planning Board based solely on the application, assuming that the application would be followed up with all the necessary information.

Mr. Jusko made a motion to table any discussion, and to send a letter requesting an elevation view of the tower; location of the antenna on the existing tower; and a description of the antenna. Seconded by Mr. Pohl. All in favor.

NICK CHARLAP – DISCUSSION

Mr. Charlap displayed pictures of the existing building and a picture of the building with proposed awning. He explained the following:

- Would like to provide an enclosure for outside seating with the awning
- The trees will be pulled out
- Parking will be kept to the right of side of the building, does not plan to have parking in front of the building
- Dumpster is to the back of the parking area
- Proposed awning will not encroach Boston State Road any more than the existing overhang
- Concrete bumpers will be placed from the building to the road

Mr. Brox suggested that the concrete bumpers be placed across the top of the parking lot at the right-of-way line. Mr. Mendola said that he did not think this placement of bumpers would discourage parking parallel to the road.

Discussion followed while reviewing the drawing that Mr. Charlap brought in.

Mr. Jusko asked Mr. Charlap for a better drawing, to scale, and a survey with the following described:

- Exact location of building
- Edge of highway pavement
- Right-of-way line
- Distance of building from right-of-way

Mrs. Hacker asked for this information prior to the meeting for review by the Planning Board members.

Mr. Kramer suggested to Mr. Charlap that he also provide a floor plan for the Board to review.

Mrs. Hacker asked if change of use was still in order. Mr. Kramer said it would be if seating is added.

Mr. Brox said no, it would be allowed as it is non-conforming, as long as the building is not expanded.

Mrs. Hacker asked about inside seating. Mr. Charlap said there would be 5 booths and 5 tables.

Mr. Brox told Mr. Charlap that he needed to provide 2 parking spaces for each 5 seats inside.

Mrs. Hacker asked Mr. Brox if a variance would be necessary for the proposed awning.

Mr. Kramer said that if the building is not made any more non-conforming than the existing building, a variance is not required.

Mr. Jusko asked Mr. Charlap to provide:

- Seating diagram, to determine parking required
- Drawing to scale
- Copy of the survey

Nick Charlap – Discussion, con't

Mrs. Hacker provided Mr. Charlap with a copy of Town Code Chapter 97 – Site Plan Review, and Chapter 123-155 – Certificate of Zoning Compliance.

NON AGENDA ITEMS

THERESA BETZ – DAY CARE CENTER

Ms. Betz said that she had 21 sets of the site plan, 3 of the architectural plan, 1 copy of the legal description and 1 copy of the sign.

Chairman Hacker asked Ms. Betz to supply enough copies of the legal description and the sign for review by the Planning Board members. Mr. Horton asked if 21 copies were needed of the architectural guide. Mr. Jusko explained that 21 sets were not needed; that all this Board is interested in is the height for setback requirements, and a vision of what the building is going to look like from the outside.

Mr. Jusko asked Mr. Horton if he had reviewed the site plan review section of Town Code. Mr. Horton said that he had.

Ms. Betz asked about sign sizes. Mr. Kramer told Ms. Betz to call the Building Inspector's office for sign requirements and restrictions.

WILLIAM MCCAULEY

Mr. McCauley, residing at 5860 Woodlee Court, said that he had sent the Planning Board a letter asking for direction in the sub-division of his lot in the Doll sub-division, to provide the neighboring property with the proper setback for the barn that straddles his lot line.

Mr. Jusko read from the letter of October 1, 2002, from this Board, which suggested that Mr. McCauley deed a sufficient amount of land to the neighboring property so that all structures meet appropriate setbacks; and that he then submit a proposed deed and survey to the Planning Board, before proceeding with any further action for an alteration to an approved sub-division.

Mr. McCauley asked 'how much land do I actually have to deed to the neighbor?'

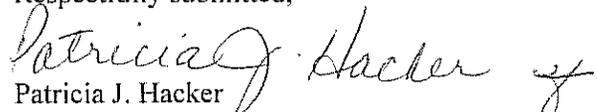
Mr. Jusko suggested that Mr. McCauley have his attorney contact the Town Attorney to draw up an appropriate deed as recommended in the letter of 10/1/02.

CODE ENFORCEMENT OFFICER KRAMER – nothing to report this evening

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

Being none, Mr. Jusko made a motion to adjourn at 8:27 P.M., seconded by Mrs. Andrzejewski. All were in favor.

Respectfully submitted,


Patricia J. Hacker
Chairman