

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

ABSENT: Michael Pohl

ALSO	Dennis Kramer	Code Enforcement Officer
PRESENT:	Dennis Mead	Town Board Liaison
	Michael Perley	Town Attorney
	Theresa Betz	Day Care Center
	Nick Charlap	Charlap's Dairy

Chairman Hacker called the meeting to order at 7:31P.M.

MINUTES

Mrs. Hacker asked if there were any additions or corrections to the minutes of February 11, 2003. Being none, Mrs. Andrzejewski made a motion to accept the minutes, seconded by Mr. Stringfellow. All in favor.

CORRESPONDENCE

Secretary Maxwell reported the following correspondence:

- Letter dated February 13, 2003 to the FBI requesting information needed to proceed with discussion for co-location
- Received from Nick Charlap – survey and proposed layout of Charlap's Dairy
- Other correspondence to read at point in agenda

LIAISON – COUNCILMAN MEAD

Councilman Mead reported that the February 19, 2003 Town Board meeting was cancelled due to the Association of Towns Conference in New York City.

THERESA BETZ – DAY CARE CENTER

Chairman Hacker asked for comments on the site plans and sign design that was submitted.

Mr. Jusko stated the following:

- Height dimension is not shown - after calculating it was determined to be 18 ¾ feet high
- Drainage appears to be running onto adjoining property
- Town Code states that signs are permitted to a height of 7 feet
- Base of sign is not to be more than 3 feet above ground level, this sign appears to be higher
- Sign placement is to be 5 feet from the right-of-way

Theresa Betz, con't.

Through discussion, it was determined that the sign is going to have a planter type foundation, so the height of 9 feet would be allowed.

Mr. Stringfellow pointed out that the locator map is incorrect. It shows the location of the proposed project between Liebler and Patchin Roads, and on the wrong side of the road.

Mr. Jusko added that all structures within two hundred feet of the proposed building are to be shown on the survey or site plan.

Mr. Maxwell read the correspondence from Foit-Albert Associates, the Town Engineering firm.

Ms. Betz said that the front porch is handicapped accessible as that it does not have any steps. Mr. Maxwell said that what is being asked for is a 6" inch concrete curb be placed between the parking lot and the sidewalk in front of the porch to prevent any vehicle from going onto the sidewalk. Mr. Kramer added that a space, wide enough for wheel chairs or walking assistance devices, left between the blocks for access to the sidewalk is what is being requested.

Several discussions followed.

A letter will be sent to Ms. Betz and the contractor Shawn Horton advising of the corrections/additions that need to be made:

- Locator map needs to show proper location of proposed project
- All structures, within 200 feet, have to be identified
- Revised sign description to include all dimensions, including planter type foundation
- Sign placement in regards to the public right-of-way
- Building height dimensions need to be added
- All items that are referred in Richard Brox's letter and the Town Engineer letter need to be addressed

Also, that they forward 12 complete sets of revised drawings for Planning Board review.

Mr. Jusko made a motion be table discussion pending receipt of the requested information, second by Mr. Maxwell. All were in favor.

CODE ENFORCEMENT OFFICER KRAMER – nothing to report this evening

NON AGENDA ITEMS

NICK CHARLAP

Chairman Hacker advised Mr. Charlap that discussion for his project was not part of the agenda for this evening, the paperwork has just been received and distributed this evening, and the Planning Board members will review this paperwork before the next meeting.

Mrs. Hacker advised Mr. Charlap that discussion would be on the agenda for Tuesday, March 11, 2003.

Mr. Maxwell asked that the usual letter of receipt be sent to Mr. Charlap, and asking him to be in attendance at that meeting

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

Mr. Perley announced that he is leaving the Town Attorney position at the end of February. He said that it has been a pleasure working with the Planning Board, and has been Counsel to the Planning Board for about 21 years and has enjoyed the work.

Mr. Jusko asked who the new Town Attorney is?

Mr. Perley said that he did not know.

Councilman Mead said that the Town Board would be interviewing candidates on Wednesday, February 26th.

Mr. Perley commented on the Charlap project. Mr. Perley said that he was asked if Nick Charlap should be allowed to continue making ice cream at this location for off site sale? Henry Charlap was allowed to continue after rezoning in 1990 because his business was considered to be grand-fathered into the rezoning change. So the question now comes up whether the preparation of food for off site consumption is a continuing non-conforming use. Mr. Perley continued, after doing some research I cannot say that this use has been discontinued at this site for a one-year period. Mr. Perley added that Nick could not be allowed to expand on a non-conforming use.

Mrs. Hacker asked Mr. Perley if he would render his opinion to the Planning Board in regards to Charlap's Dairy continuing in a non-conforming use in terms of its manufacturing capabilities?

Mr. Perley said that he would do so.

Mr. Perley again said that it has been a pleasure to work with the many individuals who have been members of the Planning Board over the past 20 years. He added that he would continue to work in Water District #3 and the proposed project on the newly purchased property across Boston State Road. He wished his successor and the Planning Board well in all future endeavors.

Chairman Hacker thanked Mr. Perley for all of his help and added, you will be missed.

Chairman Hacker asked if there were any further business?

Being none, Mr. Jusko made a motion to adjourn at 8:10 P.M., second by Mr. Stringfellow. All in favor.

Respectfully submitted,


Kevin G. Maxwell
Secretary

KGM:tjf