

Planning Board Minutes June 22, 2004

BOSTON PLANNING BOARD JUNE 22, 2004

PRESENT: Patricia Hacker, Chairman

David Stringfellow, Vice Chairman

David Bernas

J. David Early

Richard Hody

EXCUSED: Margaret Andrzejewski

Michael Pohl

ABSENT: Jeff Mendola

ALSO Kelly Vacco Town Attorney

PRESENT: Brien Hopkins Councilman ? Town Board Liaison

Richard Hawkins Councilman

Dana Darling Applicant

Garrett Hacker Darling Project Engineer

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

MINUTES

Chairman Hacker asked if there were any corrections or revisions to the minutes of June 8, 2004.

Mr. Hody: Page 2, second line following semicolon ? ?and what he will do? looks like ?he and will? have been transposed.

With that correction Mr. Stringfellow made a motion to accept the minutes, second by Mr. Hody. All in favor.

CORRESPONDENCE: Mrs. Hacker reported the following:

- Received letter dated June 2, 2004 from Highway Superintendent Poore regarding the Willow Drive turnaround.
- Received letter dated June 14, 2004 from Zoning Board of Appeals Chairman Ralph Gibson advising of two Public Hearings scheduled for July 1, 2004.
- Notice received from New York State for Training for Local Officials on Site Plan Review and Special Use Permits ? Monday June 28, 2004
- Received Town Board minutes of June 2, 2004.
- Other correspondence to be read at point in agenda.

BRIEN HOPKINS - LIAISON

Mr. Hopkins had no report this evening.

Mrs. Hacker asked Councilman Hawkins if he had anything to report.

Mr. Hawkins: No, I sit in occasionally to keep in touch with the Boards and their discussions about upcoming projects.

DANA DARLING ? DISCUSSION

Chairman Hacker asked for questions or comments from the Board members.

Mr. Stringfellow questioned the lighting.

Discussion followed on the material of light posts; light post spacing, and number of required lights standards.

Mr. Hody: Do you have a luminary display that could be put on, so that the distance of the intensity of light..

G. Hacker: We use the same height as the Boston specs, we took that exact light post, its aluminum.

Mr. Hody: So it's based on spacing versus illumination?

G. Hacker: We space it out according to the curves, and appropriate locations that supports a post, the height is based on the Boston specs.

Mrs. Hacker: That information will have to be on the final plans even if it is an exact copy of the book.

Clarification of symbols: triangles are light standards, circles are sanitary sewers.

Mrs. Hacker: Where are any trees being removed?

G. Hacker: That's just a standard legend that we use. We haven't removed any.

Mr. Stringfellow: Some of the sanitary sewer lines are shown outside of the right-of-ways, is that intentional?

G. Hacker: There are easements on those lots to cover that.

Discussion followed regarding road width.

BOSTON PLANNING BOARD JUNE 22, 2004

Mrs. Hacker: On the grading plan, sheet 2: the grading lot type C versus A. I found all to be A's, only one with a C, is that correct?

G. Hacker: One drains to the rear, the others drain to the front.

Mr. Stringfellow: You need to indicate the buildings within 200 feet of the proposed project. Any on Boston State Road and the south side of Wildwood.

Mr. Stringfellow: Preliminary Plat Map ? Sheet 1, what is the dashed line for?

G. Hacker: This is the easement for the center sewer construction. The sanitary runs outside the right-of-way, every time you're on a curve, typically you take an easement.

Mr. Hody: The easement for sewer, seems to be right on top of the property line in some locations, is that okay without still taking an easement if you needed access to that sewer?

G. Hacker: We can extend that easement to lots 2, 4, and 5.

Discussion turned to what needs to be indicated on Conceptual and Final Plat Plans.

Mrs. Vacco: Remember, they do not have Preliminary Plat approval yet.

Mrs. Hacker: We have no report from the Engineer or from Mr. Brox. This discussion tonight is to get us all on the same page with Dana. We will continue to look at things and do follow-up.

G. Hacker: I have been in contact with the Town Engineer going through all the items from the June 10th letter that was submitted.

Mrs. Hacker: We haven't received anything more. We won't make any recommendation on this without something from our engineer.

Mrs. Hacker: Are there any trees there that will stay? That needs to be shown.

Mr. Darling: There's a lot that will be there.

G. Hacker: You want every one shown?

Mrs. Hacker: Show as a cluster.

Mrs. Hacker: What about snow storage areas?

G. Hacker: Typically, snow storage is shown on the site plan.

Mrs. Hacker: There is some concern about the continued removal of soil at the creek edge.

Mr. Darling: Not with this project. Any activity down there is the road contractor that is doing the storm drain along 219, he is stock piling stone there; the only activity there with my project is the archeological study.

Mr. Stringfellow: The drainage is shown being done with swales and open ditches. That is what was done in the Emerling subdivision and it backfired.

Mr. Darling: The Emerling subdivision is a totally different from this. That was built on a hillside and there is much more flow coming down off of the hill. This project is pretty flat; there won't be that much volume and velocity.

Mr. Stringfellow: I'm not concerned with the amount of water or the flow. What I'm concerned with is that these are small lots, compared to other lots in Boston. You're going to get people from the city to the country and as soon as they get here, the first thing they want to do is put in a pipe and cover it up.

G. Hacker: I've been in contact with the Town Engineer who has been advising us on the receiver areas and the ditches. We'll rock line the steeper portions to slow the velocity.

Mr. Hopkins: As of right now, no one can put culverts in without going through the Town Engineer. If culverts were put in it would be to the Engineers determination of where, and what size.

Mr. Stringfellow: In terms of the Planning Board sort of a long term project, should we be asking the developer to put in pipes, culverts and drainage in front of those houses so we don't have arguments from the people in the future?

Mr. Darling: The Highway Department's not equipped to maintain that yet?.

G. Hacker: We want that water to perc in the ground..

Mr. Hawkins: As Brien said, before anything happens the Engineer will look at that site and report his opinion. The home would be then responsible for paying for whatever has to be done, if it is even approved.

Mr. Darling: I think what Foit-Albert is telling us is that they want the open ditches, because with enclosed ditches you get too much volume, too fast, and it's not percolating into the ground.

Mr. Early: Lots 10 and 11 are in the area where it drops. How are you going to take care of the drainage that goes over onto 16 and maybe 15?

G. Hacker: There is a swale coming down into a seepage area. The Town Engineer wanted a designated area for the water to pond in on each site, those are called seepage areas, it's a low spot where water collects and seeps into the ground.

Mr. Bernas: Is zoning still an issue?

G. Hacker: That's at the Town Board.

Mr. Bernas: Street alignment with Omphalius has been addressed; amount of lots and lot sizes is shown as 27, at one point the Town Board asked that the lots be reduced to 22. Anytime there is discussion like that you don't find it in the records anywhere, and that leaves me to wonder: is there correspondence or communication going on between the Town Board and the representative of this Board that aren't done in writing?

Mrs. Hacker: That has never been done. Anything that we do with the Town Board goes on paper, from Secretary Faulring through the channels.

Mr. Bernas: I'm just commenting on my interpretation of reading previous minutes, and how the Town Board has preferred your expressing some interpretation of what the Town Board's preferences were; and I thought that if the Town Board had their preferences that they might have put it in writing to indicate "this is what we'd like to see."

Mr. Bernas: Has the road name been addressed? That was an issue. Storm water management has been addressed. Traffic study doesn't appear to be done. Also, I thought that the Highway Superintendent has to sign off on the plans, is that the final or the preliminary?

Mrs. Hacker: I believe he works with the Engineers and..

Mrs. Vacco: On the dedication of roads, or the specs of roads?

G. Hacker: The Town Engineer has not mentioned any concern about the traffic situation.

Mr. Early: Is a traffic study a requirement?

G. Hacker: Only when there is an unusual increase in traffic.

Mr. Hody: That would be through the SEQR.

Discussion followed regarding the requirements/findings that were sent out in the Foit-Albert report and Mr. Brox's report.

Mrs. Hacker asked Secretary Faulring to supply each member with a copy of the Engineer's letter dated February 23, 2004 and a copy of Mr. Brox's report dated March 4, 2004.

Mr. Stringfellow: On the floodplain map it shows that there are 3 levels of cross-section, but there is no legend that tells what those 3 levels mean.

G. Hacker: In the Engineering report there is the floodplain right from the Town of Boston. The engineer just wants us to stay out of the 100-year floodplain.

Discussion followed regarding the 100-year floodplain and the 500-year floodplain.

Mrs. Hacker: The Town Board won't act on rezoning until the Planning Board forwards an approval of the Preliminary Site Plan, and until we have a reply from the Town Engineer and Mr. Brox we won't send anything forward.

Mr. Hody: The 6.88 grade, is that okay with Town Code? That's a pretty steep grade.

G. Hacker: Yes, the Town allows 8%, that's why we provided a rock lined ditch in that area.

Mr. Stringfellow: With the road now aligned with Omphalius, who owns the narrow strip between the road and the boundary line?

G. Hacker: We will probably extend the right-of-way.

Mr. Early: That small clump of trees may cause a sight problem.

Mr. Hody: When they do the final plan they will have to check sight distances.

Mr. Darling: What about the rezoning, has it been taken off the table by the Town Board?

Mrs. Vacco: It has not been taken off the table by motion, once approved here it will come off the table for a Town Board vote.

G. Hacker: Is the Town Planner going to put together a letter based on all your comments and address that to us?

Mrs. Hacker: His letters basically are just his comments.

Discussion followed regarding the combination of Planning Board comments, the Town Planner's comments and the Town Engineer's comments.

Mr. Stringfellow: We throw discussions around, we talk about things, but we have not at least yet created a list of what we want them to address and we should do that.

A lengthy discussion followed regarding the responsibility of this Board in regards to preparing a list for the developer and his engineer to respond to for future discussions and site plan updates.

Mrs. Hacker: Does anyone here want to do each project? I don't think that's our job.

Mr. Bernas: It seems to me that when we review a project, we give the applicant our recommendations, they make those changes and come back and then we ask for more.

BOSTON PLANNING BOARD JUNE 22, 2004

Mrs. Vacco: Can't you supply the developer with a checklist prior to reviewing the application and site plan?

Mrs. Hacker: Before he comes to our Board the developer is provided with, from the Town of Boston, a copy of the Code and what paperwork is required; and in that it states that any questions or concerns that we have should be addressed also; and those questions and concerns are going to change with each Board member.

Mrs. Vacco: Mr. Hacker would you care to read through your list to be sure that it checks with the Board members' lists?

G. Hacker: Typically when we work with a Town, their Town Planner usually coordinates the Town's Planning Board's..

Mrs. Vacco: That's not the way our Town Planner operates, and he never has. If you want to read off what you believe the Planning Board is looking for, typically that is the banter that goes back and forth, and before the developer leaves, the developer knows what we're looking for. The engineer will provide you with his insight after reviewing the data and similarly so will the Planner. There's no streamline way to go, probably because there are not a lot of subdivisions in the Town of Boston. It's a work in progress and I'm sure that we will become expedient as time goes on, but this is way it's done now.

Mr. Hawkins spoke on the lengthy process for subdivision site plan review, and the necessity of having all paperwork completely done, and, done correctly before beginning the review process.

Mrs. Hacker: Are the members ready with their lists?

Mr. Hody: Most of mine are addressed.

Mr. Stringfellow: Most of my questions have been answered.

Mr. Hawkins: Mr. Darling have they found any Indian artifacts down there?

Mr. Darling: They're still working there; but I do have a letter from the State saying that the roadway is clear and we have permission to start working in the roadway area.

Mr. Early: You said that you were going to look at the easements on lots #2, #4, #5.

G. Hacker: We'll look at all the easements.

Mrs. Hacker: Do you mail Foit-Albert report to the developer's engineer?

Secretary Faulring: No, I'm responsible for the Planning Board members.

Mr. Stringfellow: Would it be possible for these comments to go to all the Board members?

Secretary Faulring: When I get them they are mailed to the members, or put in your package for the meeting night.

Mrs. Vacco: They are just not timely this time, that's the problem. Any comments from the Engineer are given to the Board members.

Mr. Hody: I'll make a motion to table. Seconded by Mr. Stringfellow. All were in favor.

TOWN BOARD REFERRALS

8899 Boston State Road

Chairman Hacker read the following correspondence:

· Letter dated June 17, 2004 from Town Clerk Shenk with Town Board referral for site plan review of proposed duplex

· Memo from Kim Bingman with letter of request.

Mrs. Hacker distributed the packages for review prior to the next meeting.

Mrs. Hacker asked Secretary Faulring to provide a copy of the Zoning Board of Appeals Notice of Decision to all Planning Board members.

Mrs. Hacker: Any further business?

Being none, Mr. Hody made a motion to adjourn at 8:37 PM., seconded by Mr. Early. All were in favor.

Respectfully submitted,

Patricia J. Hacker

Chairman

PJH:tjf