

## Planning Board Minutes June 9, 2009

BOSTON PLANNING BOARD JUNE 9, 2009

PRESENT: David Stringfellow, Chairman

Keith Clauss

Mark Coppola

Bill McGirr

David Ruzzine

Rich Skinner

EXCUSED: Patricia Hacker

ALSO Cathy Maghran Councilwoman ? Town Board Liaison

PRESENT: Brian Downey Town Attorney

Richard Brox Town Planner

Thelma Faulring Secretary to the Boards and Committees

Donald Buckley Applicant ? 8038 Boston State Road

Chairman Stringfellow called the meeting to order at 7:31 PM and stated that there are no alternate members to appoint in Mrs. Hacker?s absence this evening.

### MINUTES

Chairman Stringfellow asked if there were any corrections or additions to the minutes of January 27, 2009.

Being none Mr. Coppola made a motion to accept the minutes, seconded by Mr. McGirr and carried.

## CORRESPONDENCE

Secretary Faulring listed the following correspondence:

1. Planning Board letter dated January 27, 2009 to the Town Board with recommendation for re-appointment of Richard Brox as Town Planner for 2009
2. Planning Board minutes of April 22, 2008 clarifying that the Planning Board did not review the entire Code Book for revisions ? revisions were done only through Section 123-65
3. Code Enforcement and Deputy Code Enforcement Officers? end of month reports for January
4. Planning Board letter dated February 18, 2009 to Donald Mania thanking him for his interest in serving on the Planning Board but suggesting that his focuses might better be served on another committee
5. Code Enforcement and Deputy Code Enforcement Officers? end of month reports for February
6. Received information regarding the 16th Annual Southern Tier West Local Conference
7. Code Enforcement and Deputy Code Enforcement Officers? end of month reports for March
8. Code Enforcement and Deputy Code Enforcement Officers? end of month reports for April
9. Show of interest letter to Planning Board and Zoning Board of Appeals members in scheduling training sessions with TVGA
10. Received information regarding training session at Orchard Park Country Club on June 16, 2009
11. Received information regarding Panning and Zoning summer schools, sponsored by the Association of Town of NYS on August 7, 2009 at Erie Community College North Campus
12. Code Enforcement and Deputy Code Enforcement Officers? end of month reports for May
13. Distributed Town Directory

## PRELIMINARY DISCUSSION ? 8038 BOSTON STATE ROAD

Mr. Buckley:

- ? Has made a purchase offer for a portion of the property currently owned by Martin Barrett
- o Waiting to seal the deal until an approval is given by the Planning Board
- ? Hoping to open ?Buffalo Buck?s Smokehouse Restaurant?

? Distributed before and after pictures of the restaurant

A very lengthy informal discussion followed.

The Planning Board members worked diligently with Mr. Buckley to get to the point where he could move forward with his application.

Concerns of the Planning Board included:

- ? Lack of a survey for the entire parcel
- ? Distance between the two commercial buildings on the parcel
- o Does it provide enough footage to divide the parcel between these two buildings
- ? Adequate parking spaces should the parcel be split
- o Two spaces for every five seats inside
- o There is not to be any parking in the restricted area in the highway right-of-way

BOSTON PLANNING BOARD JUNE 9, 2009

- ? Creating a non-conforming parcel
- o Variance would be required, but for which parcel
- o By dividing property, Mr. Barrett would be creating his own hardship
- ? Buffer between the proposed restaurant and neighboring residence
- o Proposed a shrub line
- ? Secondary outlet for second parcel
- ? Availability to three sides of each building as per Fire Code
- ? Dedicated ingress/egress
- ? Lighting

Mr. Stringfellow stated that it is his intention and hopefully the Boards? to get the restaurant up and running. He added that the addition of a new storage building is not a problem.

Mr. Downey requested Mr. Buckley to submit a complete application as required by Code, including a survey of the entire existing parcel.

Mr. Downey said that he would contact the Code Enforcement office to out what was discussed in the office and they in turn should contact Mr. Buckley to advise him of what is needed to go forward.

Discussion was tabled pending receipt of all required information.

#### DISCUSSION ? REQUIRED NEW YORK STATE TRAINING

Mr. Stringfellow: This is on the agenda, because after a couple of months of no meeting it was suggested that we have a training meeting. I talked to TVGA and was told that they really don't get into their training sessions until the fall, that's typical. I talked to the chairman of the Zoning Board of Appeals; they meet on the first Thursday of the month as needed.

Secretary Faulring advised Mr. Stringfellow that several members of the ZBA are planning to attend the June 16, 2009 meeting in Orchard Park.

Mr. Coppola: There's also on-line.

Mr. Stringfellow: I leave it up to TVGA, they can determine if they want to advertise to other towns and make it a larger meeting, but if you want to attend another town's meeting, please feel free to do so.

#### LIAISON ? COUNCILWOMAN MAGHRAN

Mrs. Maghran: Nothing to report. It's nice to be back.

#### SUMMER SCHEDULE

Secretary Faulring: The Town Board's summer schedule is July 15 and August 5.

Following discussion Mr. Skinner made a motion to set the Planning Board meetings for July 21 and August 25 subject to change if needed, seconded by Mr. Coppola and carried.

#### TOWN ATTORNEY DOWNEY

Nothing further for this evening.

Respectfully submitted

Thelma Faulring

Secretary to the Boards and Committees