

Planning Board Minutes March 13, 2012

BOSTON PLANNING BOARD MARCH 13, 2012

PRESENT: David Stringfellow. Chairman

Robert Chelus, vice Chairman

Jennifer Lucachik, Secretary

Keith Clauss

Cathy Maghran

Anthony Zeniuk

Dr. Paul Ziarnowski

ALSO Michael Kobiolka Town Attorney

PRESENT: Martin Ballowe Town Supervisor

Thelma Faulring Secretary to the Boards and Committees

Richard Brox Planning Consultant

Chairman Stringfellow called the meeting to order at 7:30 PM. and appointed Dr. Ziarnowski to serve as a regular voting member for this evening's meeting.

MINUTES

Mr. Stringfellow asked if there were any corrections or additions to the minutes of February 14, 2012, being none, Dr. Ziarnowski made a motion to accept those minutes, seconded by Mr. Chelus and carried.

CORRESPONDENCE

Secretary Faulring reported the following:

- ? Code Enforcement Officer Ferguson's February end-of-month report
- ? Updated membership list with addresses, telephone numbers and term expiration dates
- o Secretary Faulring mentioned that she did have a question on a couple of the expiration dates and would refer them to the Town Board

PLANNING BOARD HOUSEKEEPING

Paul Ziarnowski had a letter of request for appointment as a regular member

? He explained that recently he submitted a letter that he did not want to accept a regular membership appointment at that time due to a medical issue he was dealing with. As of now, the issue is no longer a serious concern and he would now gratefully accept a regular membership appointment.

Mr. Stringfellow: I'll make a motion to recommend the appointment of Paul Ziarnowski as a regular member of the Planning Board, seconded by Mr. Clauss and carried.

Chairman Stringfellow asked that a letter of recommendation for regular appointment from the Planning Board be attached to Dr. Ziarnowski's letter.

Mr. Stringfellow: That takes care of the planned agenda. I wanted to mainly get the recommendation for Paul taken care of that's why there was an agenda rather than just a work session scheduled; so we're at adjournment by motion if there is no other business.

NON-AGENDA ITEMS

Mr. Brox spoke from the Town Board meeting of March 7, 2012:

- ? Tabled rezoning request
- o They are waiting for more information
- ? Table decision on Boston Fire Company
- o Waiting for new legal description

Mr. Kobiolka: Town Law 265: if 20% of adjoining property owners signs a petition not to rezone, a "super majority" of the Town Board is needed to supersede the petition. That would be four or five members of the Town Board.

Mr. Stringfellow: The Boston Fire Company sold 20 feet to Ms. Will; the boundaries have now changed and they will have to come back here for approval. As long as there are legal boundaries and setbacks, I don't see any problem.

Mr. Kobiolka: The Town Board, the Planning Board and Zoning Board of Appeals need to check the lines again.

Mrs. Maghran: I think it would be advantageous for all Boards concerned to have a letter from both attorneys, and the Town Attorney declaring this issue resolved.

Dr. Ziarnowski asked Town Attorney Kobiolka if he had seen the flyer that was distributed about the Fire Company.

Supervisor Ballowe: (Fire Company President) Russ Metcalf called me about what needed to be done next by the Fire Company in order to proceed. I told him if the boundary lines had changed that they would have to go back to the Planning Board with a revised site plan and survey. I also referred him to Mr. Kobiolka with the same question, to make sure that I had given him the right information. He did call Mike (Kobiolka), who confirmed to Russ that what I said was correct, so he decided to take it out on Mike, on the flyers, instead of me.

Mr. Stringfellow: Is there anything else before we adjourn and go to Work Session?

Mr. Kobiolka: I attended the New York State Association of Towns meeting and happened into the Attorney General's office and they had a "Guide to Planning and Zoning Laws of New York State." So I got a copy for you, the Chairman of the Planning Board and the Chairman of the Zoning Board of Appeals. It's very comprehensive, general law, town law, village law?

Mr. Brox: Every new attorney general comes up with his version of the same thing?it's just another thing they can put their name on.

Discussion followed about the newly distributed book.

Mr. Stringfellow: Does anyone want a copy of the book?

Mr. Kobiolka suggested that the Chairman review the book to see if it would be useful for all members to have.

The members agreed.

Mr. Stringfellow: I guess I can commit to that.

Mr. Stringfellow: Is there a motion to adjourn?

Mrs. Maghran: I'll make a motion to adjourn, seconded by Mr. Zeniuk and carried.

Respectfully submitted,

Jennifer Lucachik

Secretary