

PRESENT: Patricia Hacker, Chairman
David Stringfellow, Vice Chairman
Kevin Maxwell, Secretary
J. David Early
Paul Jusko
Jeff Mendola
Michael Pohl

EXCUSED: Margaret Andrzejewski

ALSO PRESENT: Dennis Mead Town Board Liaison
Kelly Vacco Town Attorney
Dennis Kramer Code Enforcement Officer
Nick Charlap Charlap's Dairy
Theresa Betz Kids Country Child Care
Shaun Horton Contractor, Kids Country Child Care

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 March 11, 2003. Mrs. Hacker noted that Richard Brox should be shown as being in attendance at the March 11, 2003 meeting; with that addition Mr. Jusko made a motion to approve the minutes, seconded by Mr. Early. All in favor.

CORRESPONDENCE

- To be read at appropriate agenda item
- Secretary Maxwell stated that other correspondence would be reported at agenda item 5, receipt of Town Board referrals.

LIAISON – COUNCILMAN MEAD

Councilman Mead reported from the Town Board meeting of March 19, 2003:

- Town Board received re-zoning request and possible sub-division application from Dana Darling, which they referred to the Zoning Board of Appeals.

Mr. Maxwell reminded Mr. Mead that the Planning Board has sole jurisdiction of sub-division development.

Mr. Jusko said, 'previously, when there was a combination of re-zoning and sub-division on the application, the Planning Board reviewed the plans for a general overview of the layout, and the intent, before making a recommendation on the re-zoning.

Mr. Kramer added that re-zoning is ultimately the decision of the Town Board, but is referred to the Planning Board for its input and recommendation. He added that the motion to refer to the Zoning Board of Appeals was not correct; it should go to the Planning Board. Mr. Mead will make sure this is correctly directed.

- Referred to Planning Board application and site plan for Ray Webber

From the last Planning Board meeting:

- Requested from the Town Clerk that a report be sent on co-location applications at 6405 Ward Road

Liaison Mead, con't

- Addition of sign review to Site Plan Review has been referred to Town Attorney Vacco for writing of legislation
- Trees and Parking area in front of the Town Hall
 - Will be referred to the Planning Board for recommendation

NICK CHARLAP

Mr. Maxwell read the following correspondence:

- Letter dated March 14, 2003 to Nick Charlap requesting additional information and additions to site plan
- Letter dated March 21, 2003 from Richard Brox

Mrs. Hacker reminded Mr. Charlap that Mr. Brox's letter is only a recommendation.

Mrs. Hacker asked Mr. Charlap if he had any pictures of the awning?

Mr. Charlap said that there wasn't one available. He added that there would not be anything more than what is already there. One permanent awning that will extend one foot less than the existing wooden canopy, and two awnings, one over each of the windows, those will be temporary for the summer months, they will be red and white and have lighting inside of them.

Mr. Maxwell said based on elevation the Board would like to see a picture of the awning.

Mrs. Hacker asked about parking lot lighting.

Mr. Charlap said he plans to use what currently exists, all bulbs have currently been replaced.

Mr. Maxwell asked what exists.

Mr. Charlap said there is the streetlight for the front of the building, mercury vapor light on the garage and two in the back parking lot.

Mrs. Hacker asked where in the back parking lot?

Mr. Charlap said on the top center of the existing garage area. One shines to the left, the other to the right, and the mercury vapor light on the garage and another on the outside corner by the garage and dock area.

Mr. Early told Mr. Charlap that the measurements indicated on current plan shows 4 feet by 12 feet over the windows. Mr. Charlap said they are 4 feet by 12 inches, 12 inches out from the wall. Mr. Stringfellow advised Mr. Charlap to make that correction, if the plan shows 12 feet and that is the plan that is approved that is what will have to be installed.

Mr. Mendola stated that buildings with 200 feet of property are not shown.

Mr. Charlap said that one existing home to the right is his father's home.

Mrs. Hacker said and to the left, the duplex? Is that about 40 feet between your garage and the duplex?

Mr. Charlap said 'approximately 35'.

Mr. Jusko said that since this is an existing building he did not think it was necessary to show buildings. The tax map showing adjacent properties should be sufficient.

Mrs. Hacker asked about the current front parking area.

Mr. Charlap said that the cost of planters is going to prohibit him from going with that idea. He added that he intends to purchase 10, 100 pound rocks and place them in the front area to prevent cars from driving through.

Mr. Maxwell asked the location of the catch basin?

Mr. Charlap said there is a catch basin between the telephone pole and the front door.

Mr. Mead asked about a split rail fence.

Mr. Charlap said a split rail fence wouldn't stop a car like a rock will.

Nick Charlap, con't

Mr. Charlap said there is also a catch basin in front of the dock and another by the garage.

Mrs. Hacker asked if there were any other questions about parking?

Mr. Jusko said that a lot of the discussion about parking on the road is in the county right-of-way and you can't dictate to the owner to keep people from parking on the highway. Mr. Maxwell suggested that the recommendation include that the Town Board make a request to the County to put up signs. Mr. Jusko said no parking signs should also be placed on the building.

Mr. Jusko asked that handicapped spaces be indicated and the size of the proposed spaces be added to the plan. He added that it appears that two parking places appear to be in the right-of-way.

Mr. Maxwell asked if the parking lot was going to be striped and arrows painted indicating in/out? Mr. Charlap said yes. Mr. Early said that there should be no parking signs by the truck entry.

Mrs. Hacker asked what was going to be done to the sign on the building?

Mr. Charlap said he would be adding 'Nick' to the existing 'Charlap' sign

Mrs. Hacker asked if the trees would be moved.

Mr. Charlap said no. ➤ if

Mr. Jusko asked if a landscaping plan had been requested?

Mr. Maxwell said no, there was only discussion of different options.

Mrs. Hacker discussed Mr. Brox's notes with Mr. Charlap.

Discussion followed regarding the traffic flow devices.

Mr. Stringfellow asked how many outdoor tables.

Mr. Charlap said there would be six tables, with four seats per table.

Mr. Maxwell made a motion to table further discussion pending receipt of the following additions/corrections, and placement on April 8th agenda:

- Awning: design, color, correct dimensions, and placement on building
- Addition of handicapped parking and location of these spaces
- Size of proposed parking spaces
- Removal of 4 parking spaces shown in the Right-of-Way
- Diagram of outdoor seating and description of outdoor furniture
- Locations of existing outdoor lighting

Seconded by Mr. Stringfellow, all were in favor.

Mr. Maxwell asked that along with the recommendation the Town Board be advised to ask the County to provide no parking signs along Boston State Road.

RECEIPT AND DISTRIBUTION OF TOWN BOARD REFERRALS

- Town Board Minutes of March 5, 2003
- Copy of the December 27, 2002 letter from Town Clerk Shenk regarding the inventory with approved applications on the telecommunications tower at 6405 Ward Road
- Letter dated January 8, 2003 from SBA with a complete list of co-locators on the telecommunications tower at 6405 Ward Road

Mr. Jusko mentioned that this Board still does not know the location of the FBI antenna.

Mr. Early said at the Town Board meeting of March 5, 2003 two representatives of the FBI were present and asked if any further information was needed.

Mr. Jusko made a motion to send another letter to the FBI acknowledging receipt of the completed EAF, but that we are again requesting the information this Board asked for in the letter of January 13, 2003, and to include a copy of that letter, seconded by Mr. Maxwell. All in favor.

- Letter from Town resident Ray Lucas, questioning the cutting of the trees in front of the Town Hall, opposed to cutting of trees that are causing potential safety hazards.

Receipt and Distribution of Town Board Referrals, con't.

- Letter dated March 20, 2003 from Deputy Town Clerk Ellis regarding the re-zoning of the Dana Darling Sub-division. Attachments include:
 - Letter from Edwards and Moncreiff regarding the re-zoning of the property directly across from Omphalius Road
 - The application and legal description

Mr. Jusko said that a similar request was made for this same location, two or three years, and there were a number of questions at that time. He asked to have that information included in the next mailing.

- Letter dated March 19, 2003 from Deputy Town Clerk Ellis referring site plan from Ray Webber, Mr. Maxwell asked that all the above correspondence be noted as received and read, but letters of acknowledgement not be sent until after discussion at the next meeting.

CODE ENFORCEMENT OFFICER KRAMER

Mr. Kramer said that Mr. Webber has retired from the trucking business, but still owns real estate and rental property and would like to have his office in this proposed building.

NON-AGENDA ITEMS

THERESA BETZ – DAY CARE CENTER

Ms. Betz and Mr. Horton distributed updated copies of the plans for the day care center.

Ms. Betz distributed a letter from Attorney Brian Attea regarding the line encroachments on the neighboring property. The present owner did realize that the property would need to be squared.

Mr. Horton said that all the items from Foit-Albert had been addressed.

Mr. Maxwell said that a letter would be required from Foit-Albert stating that all of their concerns have been met, following a review of these newly submitted plans.

Discussion followed regarding this Board's concern regarding drainage issues.

Ms. Betz asked if this Board could make a conditional approval this evening.

Mrs. Hacker said that could not be done until a review was made of the updated site plans that were just distributed this evening.

Mr. Maxwell made a motion to table any further discussion until that review is completed and there is favorable comment from the Town Engineer. Seconded by Mr. Early. All in favor.

Ms. Betz stated that she did not want to have the sign in a planter type base. Mr. Jusko explained that the sign could, then be only 7 feet high.

Mrs. Hacker asked if there were any further business?

Being none, Mr. Jusko made a motion to adjourn at 8:25 P.M., second by Mr. Stringfellow. All in favor.

Respectfully submitted,

Kevin G. Maxwell
 Kevin G. Maxwell
 Secretary

KGM:tjf