

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

ALSO PRESENT: Councilman Dennis Mead – Town Board Liaison
Michael Perley – Town Attorney
Dennis Kramer – Code Enforcement Officer
Richard Brox – Planning Consultant
Gary Ferrara – SBA Network Services Inc.
Sean Crotty – North Boston Fire Company
Kevin Kelly – Boston Grille

Chairman Jusko called the meeting to order at 7:30 P.M.

MINUTES

Chairman Jusko asked if there were any additions or corrections to the minutes April 23, 2002.

- SBA Network Services - Chairman Jusko asked if 'ice tray' is a correct term.
Mr. Ferrara said that is was correct.
- Wittmeyer Jewelers – Mr. Stringfellow said that the 11 – 12 % of coverage by the diamonds sign should be only slightly higher than 10%
Mr. Maxwell stated that the minutes are reflecting a statement made by Mr. Wittmeyer and not an actual calculation.

With these clarifications, Mrs. Hacker made a motion to approve the minutes, seconded by Mr. Early. All in favor

CORRESPONDENCE

Mr. Maxwell reported the following correspondence:

- Received Town Board referral for Boston Grille application

Mr. Jusko stated that he had received a telephone call from Anthony Bernardi's attorney inquiring about the requirements needed, to complete the Bernardi sub-division.

Chairman Jusko also stated that he attended the South Towns Planning and Development Meeting on Monday, April 29, 2002.

LIAISON – COUNCILMAN MEAD

Councilman Mead reported from the Town Board meeting of May 1, 2002:

- Noise Ordinance Public Hearing scheduled for June 3, 2002 at 7:45 P.M.
- Mandatory referral of application for co-location on Ward Road tower

Mr. Maxwell asked about the sign moratorium. Mr. Perley said that it is on the Town Board agenda for the May 15, 2002 meeting.

NORTH BOSTON FIRE COMPANY

Chairman Jusko recapped the application:

- Referred in May, 2001
- Planning Board reviewed and requested further information, which was not received
- Nine (9) months having passed, the application is expired

Mr. Crotty displayed a survey, from 1986, of the property. He explained:

- The cabin shown on the survey has been demolished
- Location of trailer has been added
- Access of trailer was a sudden, unexpected acquisition
- Councilman Wiktor had indicated to the Fire Company, last May, that the application should be approved without any problem
- Mr. Crotty said that the cost of a new survey is very expensive, and the Officers of the Fire Company felt that it was more fiscally responsible to use that money for firefighter training
- Trailer has been used for training, one of the questions asked by this Board
 - 6 Times by the North Boston Fire Company
 - 3 Times by the Boston Fire Company
 - once by the Patchin Fire Company

Chairman Jusko replied the training is good, however the use of this trailer has been without a permit. He added that a portion of the survey, drawn to scale, could be used, along with the information requested by this Board.

Mr. Perley advised Mr. Crotty to start with the letter of request to the Town Board, so that it can be referred back to the Planning Board. He suggested that a request to waive the application fee should be made in the letter.

Mr. Maxwell said to Mr. Crotty that the suggestion of a berm, to help reduce visibility of the trailer, was made in the letter to the Fire Company. He added that this type of berm could be used long term, to obscure other possible training items, such as the old cars that are now there.

Mr. Stringfellow asked if the area in question is used for any purpose other than training. Mr. Crotty said the property is mainly used for parking for activities at the fire hall; he added that they do not intend to have another trailer at this location.

Mr. Stringfellow asked a if recommendation could be made to the Town Board, that since this is only temporary; it's not very visible; it's only been used ten (10) evenings in one year; to allow the Fire Company to use it for one more year and then move it out.

Mr. Jusko said that currently there is no application to make a recommendation on, it has expired. The application has to be resubmitted to the Town Board, and they may or may not send it back to the Planning Board, but if it is, the previously requested requirements will be expected.

SBA NETWORK SERVICES FOR FAMILY STATION

Mr. Jusko wanted to verify that an RFP Study was not necessary. Mr. Perley said that it was not because it is an FM broadcasting company.

Mr. Perley said that he, Mr. Ferarra, and Mr. Johnson are working through a concern regarding the safety of this particular type of antenna. He said the concern is, 'this being the lowest antenna on the tower, suppose there is need for repair on a higher antenna, does the frequency cause danger or hazard to anyone

SBA Network Services for Family Station, con't

who needs to go up beyond the Family Station antenna, or will there be need to stop transmitting during the repair work.

Mr. Ferrara responded that he does not believe that Family Station would propose this lower placement on the tower if there were need to stop broadcasting for each repair, or there were any great danger to any individual going by it. He added that individual companies have signs posted to the effect of 'long term exposure would cause a problem, but going up to work for an hour or two will not be a problem.' Mr. Perley asked Mr. Ferrara to have this information for the Public Hearing on May 15, 2002. He added that RFP Specialist Johnson has expressed no other concerns with this application.

Mr. Ferrara distributed information sent to him by Family Station.

Chairman Jusko asked if there any further questions. There were none.

Mrs. Hacker made a motion to recommend approval for the co-location application providing all legal documents are in order. Seconded by Mr. Pohl. All in favor.

DEVON MOBILE

Chairman Jusko stated that this application does require an RFP Study.

Mr. Perley said that RFP Specialist William Johnson has the documents. Mr. Johnson is aware that the Town Board is expecting his report by June.

Mr. Jusko asked if the additional antennas are to be addressed by SBA Network with this application. Mr. Perley said they are to be addressed, before action is taken for the Devon application. Mr. Maxwell asked if an application and permit fee is required for each antenna on the tower that was not on the original application. Mr. Perley said yes, unless an antenna is added as part of an existing application. Mr. Jusko said that there are at least two existing antennas for which there was no application. Mr. Ferrara stated that to his knowledge there are possibly three antennas that may not have gone through the proper application procedure.

Chairman Jusko instructed Mr. Ferrara to provide the following information:

- what is there
- when was it installed on the tower
- when co-location permit was granted

Mr. Perley said that he would obtain dates of co-location approvals from the Town Clerk.

Mr. Maxwell asked that the Planning Board's receipt of the above information be included in the recommendation.

Discussion continued as to what co-locations have been approved and what appears to be on the tower without approval.

Mrs. Hacker asked if an application is needed for ground placement. Mr. Perley said the Town's application are for co-location on the tower, they don't go to ground space.

Chairman Jusko asked if there any further questions.

Mr. Ferrara said that now being the representative for Devon he had just received the application, if there is anything else needed or required by this Board, to let him know.

Devon Mobile, con't.

Mrs. Hacker made a motion to recommend the co-location of Devon Mobile application contingent on:

- all documents legally required are in order
- Certification of need is received from RFP Specialist William Johnson
- Receipt, by the Planning Board, of all documents for verification and placement of all existing antennas

Seconded by Mr. Stringfellow, all in favor.

BOSTON GRILLE

Mr. Kelly left the meeting prior to his point on the agenda, so was unavailable to answer any questions or concerns of this Board.

Chairman Jusko stated that this application originated in 2000. The original application submitted to what was most recently submitted has changed at least twice. He added that this Board will review as a site plan review, we will examine what we have and what remains to be required.

A review of the site plan went as follows:

- Site dimensions, locations and setbacks – shown
- Parking – shown
- Elevations – shown
- Trees and proposed landscaping – shown
- Lights – shown
- Adjacent properties – shown
- Drawn to scale
- Land contours – shown
- Drainage – shown
- Location of dumpster - shown

Yet to be determined

- Exact use of deck
- Hours of operation
- Noise level for every day use
- Will live music be played outside
- Will speakers be installed outside, if so where
- Verification of outside cooking
- Where is snow storage area
- Lighting in parking lot
 - Existing
 - If new – what type
- Address the berm and plantings to the residential side closest to the deck

Mr. Maxwell asked what a 24-volt light is similar too. Mr. Brox said it compares to landscape lighting.

Chairman Jusko asked that Mr. Kelly be placed on the agenda for the May 28, 2002 meeting, that he be notified in writing and that this Board expects a response in writing, which will be made part of the final application. A copy of Mr. Brox's review will be sent with this letter to Mr. Kelly.

Mr. Early asked, based on previous experience, if they continue to let our questions go unanswered, can we continue to table further discussion. Chairman Jusko said any recommendation will be tabled until all concerns are answered or addressed.

CODE ENFORCEMENT OFFICER KRAMER

Mr. Kramer said that Brunner's Eatery has opened. A final inspection was done and only some landscaping is yet to be completed, weather has been a factor.

Mr. Kramer said that he had received one complaint about the lighting, he contacted Mr. Brunner, the light was adjusted and there have been no complaints since.

Mr. Kramer advised that the Zoning Board of Appeals denied Mr. Bernardi's variance request to operate a light commercial soil removal business on Willow Drive. He has since received a call from Mr. Bernardi's attorney about continuing with the sub-division. That request was referred to Mr. Jusko.

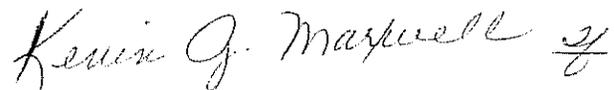
Chairman Jusko asked if there is any other business to be brought before this Board.

Mr. Early asked about the Master Plan. Mr. Jusko said that the company has not received full payment as of yet. He added that Mr. Perley has some final wording and technical changes to be made.

Chairman Jusko asked if there is any other business to be brought before this Board.

Being none Mr. Stringfellow made a motion to adjourn at 8:42 p.m. Seconded by Mr. Maxwell. All in favor.

Respectfully submitted,



Kevin G. Maxwell
Secretary

KGM:tjf

