

## Planning Board Minutes November 23, 2004

BOSTON PLANNING BOARD NOVEMBER 23, 2004

PRESENT: Patricia Hacker, Chairman

David Stringfellow, Vice Chairman

Margaret Andrzejewski

David Bernas

Richard Hody

Jeff Mendola

EXCUSED: J. David Early

Michael Pohl

ALSO Kelly Vacco Town Attorney

Brien Hopkins Councilman ? Town Board Liaison

Karl Simmeth Councilman

Joseph J. DeMarco Applicant ? 5647 Herman Hill Road

Aaron Tiller Engineer ? Proposed Hodgson commercial building

Brant Hodgson Hodgson Agency

Brant R. Hodgson Hodgson Agency

Chairman Hacker called the meeting to order at 7:31 PM.

MINUTES

Mrs. Hacker noted that agenda item #1 should be minutes of November 9, 2004. She asked if there were any corrections or additions to those minutes.

Mr. Mendola: page 7 ? Holiday Meeting Schedule ? December meeting should be December 14, 2004.

Mr. Bernas: page 6 ? on the work session for Hodgson Agency the statement was made ?making the handicapped parking spaces larger? I think the interpretation might be incorrect, but we can get to that when we get to that agenda item. I think closer to what was said was ?to rethink how the spaces are set up.? The discussion was about putting a buffer on each side of the parking space, not increasing the size of the space.

Mr. Stringfellow made a motion to accept the minutes with those changes, seconded by Mrs. Andrzejewski. All in favor.

#### CORRESPONDENCE

Mrs. Hacker reported the following correspondence:

- Letter dated November 12, 2004 from the Planning Board to the Town Board advising of their acceptance of the preliminary plat submitted by Dana Darling for a proposed subdivision. The application being returned to the Town Board for rezoning.

Councilman Hopkins stated that the change from ?water district? to ?drainage district? was made and noted at the Town Board meeting.

- Received notice dated November 12, 2004 from ZBA Chairman Gibson advising of Public Hearing on December 2, 2004.

- Received notice of Seminar on Zoning, Subdivision and Land Development Law on January 20, 2005 at the Buffalo Conference Center.

- Received Town Board minutes of November 3, 2004.

- Received Town Board minutes of November 17, 2004.

#### COUNCILMAN HOPKINS ? LIAISON

Mr. Hopkins advised this Board that the proposed Darling subdivision is currently in a lighting district.

Mrs. Hacker: We just wanted it so noted so that we don?t have another issue like we did in Hickory Meadows.

Mr. Stringfellow: Hickory Meadows was also in a lighting district, but lights were not installed.

Mr. Hopkins: The point to be made is that the letter requested the formation of a lighting district; there already is a lighting district established.

5647 HERMAN HILL ROAD

Mrs. Hacker read Richard Brox's letter dated November 18, 2004.

Mrs. Hacker: Mr. DeMarco has been given advise from his architect that what we were asking for isn't a required item. He understands about the green space that we asked for, but would like us to be more specific. Mr. DeMarco asked if we would consider letting him go ahead contingent on a completion date in June for landscaping.

BOSTON PLANNING BOARD NOVEMBER 23, 2004

5647 Herman Hill Road, con't.

A very lengthy discussion followed regarding the landscaping and providing buffers to help screen the large addition from residences across the road. Several suggestions were made to Mr. DeMarco

Mr. Bernas: It should be consistent with neighboring property in order to make it blend. The other thing is not asking him to do too much. The properties across the street are rental properties owned by the North Boston Fire Company and won't be there forever. They will eventually be gone.

Another discussion followed regarding the landscaping.

Mr. DeMarco: I need the parking to stay where it's shown for the maneuverability of equipment in the front yard.

Mr. Stringfellow: The property has not looked nice for a long time, particularly with having residential property across the street, and we would really like to see improvement in the property. I think there is room to do some landscaping along the east side and there is some space in the front.

Mr. Hody: For a commercial driveway, 34 feet is the maximum on a state road. You have 100 feet of frontage to the northeast or to the south that could be landscaped. These residents, even 3 or 4 houses up are going to see this building. So you could do 50 feet on each side of entranceway, or more on the north/northeast side. Look at the homes and see what kind of screening you can give them. He should present to us what he is proposing. I don't think we can make that determination.

Mr. DeMarco: I'm concerned about my area. I'm going to put a new building. I'm cleaning the lot up. I've been there since 1985. I'll put landscaping on the right side around my sign; I've got 20-feet of parking in the back so if I can come out on an angle and do something there, that's about all I can do. I don't have a big lot.

Mrs. Andrzejewski: What about the bond that Mr. Brox suggested?

Mr. DeMarco: I deal with bonds, but his is ridiculous on that end. We have codes, we have laws.

Mrs. Hacker: Mrs. Vacco gave me the impression that if we gave an approval contingent on a landscape plan that we could all agree on, that would be the better way to send it forward.

Mrs. Hacker: Would this Board be willing to grant him approval of the site plan, as is, so that he can start the construction of the building, contingent that he meet with us at the April meeting, and have a firm landscape plan set up that we can agree on, and that will be completed by June 30, 2005.

Mr. Hody: What about the other issues that Mr. Brox addressed, the drainage; the retention?

Mr. Hopkins: There was a letter received from Hamburg Overhead Door saying that he could use the drainage that was already in place, on their property.

Mrs. Hacker: Mr. Pohl indicated that the engineers were satisfied with that amount of drainage.

A lengthy discussion followed regarding the drainage issues.

A lengthy discussion followed regarding the contours, the slope, and the grading.

Mr. Mendola: It might be easier to visualize screening and landscaping after the building is up.

Mrs. Andrzejewski: I would like to have a landscape plan to us sooner than April.

Mr. Bernas made a motion to accept the site plan contingent on:

- Drainage issues are addressed as set forth in the Foit-Albert Engineer letter dated November 9, 2004
- A landscape plan is brought to the Planning Board at the first meeting in January, 2005 and, when accepted by the Planning Board, the landscaping is completed by July 1, 2005.

Mrs. Hacker seconded the motion.

The vote for the motion was as follows:

Mr. Mendola ? yes      Mr. Hody ? yes

Mr. Bernas ? yes      Mr. Stringfellow ? no

Mrs. Andrzejewski ? no      Mrs. Hacker ? yes

The motion carried.

Mrs. Hacker asked that a letter be sent to the Town Board with this Board's recommendation, accompanied by the Foit-Albert letter of November 9, 2005.

BOSTON PLANNING BOARD NOVEMBER 23, 2004

Mr. Simmeth took advantage of a brief recess requested by the secretary.

- I would like to thank you for all the work this Board did on the Dana Darling subdivision project.
- Also the no exit signs are gone from the egress point (nearest to the traffic light) at "On the Run" in North Boston.

Mrs. Hacker will contact the State Transportation Department regarding the signs.

Mr. Simmeth: There are letters to Senator Volker and Assemblyman Quinn regarding the Medicaid Tax Reform. Please take the time to sign each one and give them to the Town Clerk, he will send a bulk mailing to each of these officials, in January.

PROPOSED COMMERCIAL BUILDING ? 7336 BOSTON STATE ROAD

Mrs. Hacker read the following correspondence:

· Letter dated November 12, 2004 from the Planning Board to Mr. Hodgson asking him to be in attendance at tonight's meeting.

Mr. Stringfellow: Are we at Conceptual Plot Plan step of Chapter 97?

Mrs. Hacker: Yes we are, no steps will be missed.

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

Mr. Stringfellow: The front elevations shown on the drawings are 14 feet 10 and 1/8 inches, the building permit says 16 feet, 6 inches. They are both in the requirement. If that's not a problem with anyone else, it's not a problem with me.

Mr. Stringfellow: All existing and proposed parking spaces have to be shown. The Code requires parking spaces to be 10' x 20', you show 10' x 18'.

Mr. Tiller: Mr. Brox's letter requested the center aisle be 24', is that a requirement?

Mrs. Hacker: That's new to us. We'll check with Mr. Brox.

Mr. Stringfellow: All existing and proposed landscaping is to be shown. You show landscaping in front of the building, you show nothing between the parking lot and the State Road; and that's an area that we would like to have look as nice as possible.

Discussion followed regarding the zoning of the property across the road.

Mr. Stringfellow: It says to show existing and proposed light standards. You show two, one on each side of the parking lot. We ask that you avoid shining light on the residence next door.

Mrs. Hacker: We will need specifics on the lighting ? the type of lighting and the projection of the lights, the specs, the wall. We use more as a notation of our own, we do not pick your lighting for you..

Mr. Tiller: On the landscape plan, is there anything that you would actually like to see in particular?

Mrs. Hacker: Our Master Plan has recommended that we work towards creating green space instead of getting rid of it. We want it to look presentable from the road. We want it to be spaced, at the ingress and egress, so as not to inhibit the visibility of oncoming traffic. But the State will regulate that.

Mr. Mendola: If that property across the street is commercial, then we don't need the screening, we're just looking for whatever you are proposing, it looks nice, and that it is not in the right-of-way.

Mr. Tiller: What kind of landscaping was required for the day care center, next door?

Mr. Stringfellow: That's a 75-foot wide lot with very little space. She had to meet the requirement for parking spaces, so she put green space where she could.

Discussion went to the playground at the day care center.

Mr. Bernas: Is green space considered just grass, or does it include trees and shrubs.

Mrs. Hacker: Maybe some plantings around the sign if you're going to have one. You present a plan to us; we accept it if it looks good.

Mr. Tiller: We plan to have a sign.

Mrs. Hacker: There are sign requirements and restrictions.

BOSTON PLANNING BOARD NOVEMBER 23, 2004

7336 Boston State Road, con't.

Mr. Stringfellow: In our previous discussion we looked at the two handicapped parking spaces with what we believe is a no parking area crosshatched between them.

Mr. Tiller: I wanted to have a walkway from that no parking area up to the porch area.

Mr. Stringfellow: To me it looks odd to have that crosshatch not line up with the roof behind it.

Mr. Bernas: It seems to me that we talked about that particular space. Whenever you park in a lot, you're always trying to squeeze in and out of your car. It's got to be difficult for a handicapped vehicle, to pull into a space and have all the room on the driver's side to get out; but when you walk to the other side to get the wheelchairs out you don't have any room, because the person next to me parked too close.

Mr. Tiller: That's why I like to lay them out his way. Different vehicles have different access points.

Mr. Bernas: So if you took that crosshatch area and took that same amount of square foot space and made a buffer on each side of those two parking spaces, wouldn't that be more?.

Mr. Tiller: That'll work.

Mr. Hody: Our Code doesn't specify, as far as offset between parking spaces. So if you can get 20 feet or more in there it would be better.

Mr. Hodgson: But I can't take the parking lot into the setback line, so I'd maybe have to move the building back.

Mr. Hody: Right.

Mr. Bernas: The sidewalk going in..

Mr. Tiller: That's a driveway. A carport area for?

Mr. Hodgson: A carport area for a quick 'in and out' type of parking. It's more of a convenience issue.

Mr. Bernas: So is there going to be a sidewalk from the handicapped area directly to the front and to the atrium?

Mr. Tiller: Yes.

Mr. Bernas: Is the basement going to be occupied?

Mr. Hodgson: No. It will have the furnace and water down there.

Mr. Stringfellow: Back to the landscaping. It would be nice to have something across the front the parking lot that would kind of hide the view of the parked cars.

Discussion followed.

Mr. Hodgson: I want it to be tasteful landscaping, at the same time I want the beauty of the building to be seen as well. I think there's got to be a happy medium. I don't want a hedgerow that will totally obscure my building. Yet at the same time I want to put a few trees in that will compliment the building and the site.

Mr. Hody: What is the width of the driveway?

Mr. Tiller: It's 24.

Mrs. Hacker: Our engineers are very accessible, Mike Pohl, who is also a member of the Planning Board.

Mr. Tiller: So the next submittal comes back to the Planning Board for further review?

Mrs. Hacker: Yes, and we're only having one meeting in December on the 14th, and then two in January.

Items to be addressed:

- Adjacent property zoning
- Parking spaces adjusted
- Paving material
- Driveway measurements
- Table stating required parking and parking provided
- Location Map

Mr. Stringfellow made a motion to accept the Conceptual Plot Plan and move ahead to Site Plan Review. Seconded by Mr. Hody. All were in favor.

Mrs. Hacker asked if there were any further business for this Board?

Mr. Mendola: Have we gotten anything back from Mr. Kramer about Mr. Wittmeyer's lights being on after the store is closed? And what about the temporary sign, does he have a temporary sign permit?

BOSTON PLANNING BOARD NOVEMBER 23, 2004

Mr. Mendola: Have we heard anything back about our Zoning Board of Appeals and their Rite-Aid (C.V.S.) signage decision?

Mrs. Hacker: I have not heard anything back from Mrs. Vacco.

Mr. Hopkins: Mrs. Vacco has brought that to our attention.

Discussion followed regarding a letter sent to the Zoning Board of Appeals.

Secretary Faulring will check the records for a letter.

Discussion followed concerning the signs that were approved by the Zoning Board of Appeals, that do not meet the Code stipulations.

Mrs. Hacker: Mrs. Vacco thought that she could look into that.

Mr. Simmeth: Mr. Metzger is the ZBA legal advisor. He is probably the one you should contact with any concerns.

Mrs. Hacker: Is there any other business for this Board?

Being none, Mr. Hody made a motion to adjourn at 8:52 PM., seconded by Mrs. Andrzejewski.

Respectfully submitted,

Patricia J. Hacker

Chairman

PJH:tjf