

## Planning Board Minutes October 14, 2008

BOSTON PLANNING BOARD OCTOBER 14, 2008

PRESENT: Patricia Hacker, Chairman

David Stringfellow, Vice Chairman

Mark Coppola

Bill McGirr

David Ruzzine

Rich Skinner

EXCUSED: David Bernas

ABSENT: Jonathan King

ALSO Brian Downey Town Attorney

PRESENT: Cathy Maghran Councilman ? Town Board Liaison

Thelma Faulring Secretary to the Boards and Committees

Don Hoefler Engineer ? TVGA Consultants

Theresa Betz Owner ? 7346 Boston State Road

Donna Marie Hartnett Attorney ? 7346 Boston State Road

Chairman Hacker called the meeting to order at 7:34 PM and appointed David Ruzzine to act as a voting member for this evening's meeting.

MINUTES

Mrs. Hacker asked if there were any additions or corrections to the minutes of September 23, 2008. Being none Mr. McGirr made a motion to accept the minutes, seconded by Mr. Coppola and carried.

#### CORRESPONDENCE

Mrs. Hacker read the following:

? TVGA letter dated September 24, 2008 regarding Site Plan Review ? Glad You?re Hair at 7166 Boston State Road

o Mr. Stringfellow: There is a man-door shown there on the earlier floor plan submission. Ground level is about two feet below what it is at the main entrance; that entrance to the building is about two feet below and there are stairs going up from there to the main level of the building. So my impression is that this is not a basement entrance at all, it is an entrance at the ground level, where the ground is lower, and within the building there are steps going up.

o Mrs. Hacker: We will need to get that clarified

? TVGA letter dated October 14, 2008 stating that they had not received any revised information for the Glad You?re Hair site plan, as of 2:00 PM this afternoon.

#### KIDS COUNTRY CHILD CARE ? 7346 BOSTON STATE ROAD

Mrs. Hacker read the following:

? Planning Board letter dated October 9, 2008 to Ms. Hartnett requesting the one document as-built site plan and asking that she and or Ms. Betz be in attendance at this evening?s meeting.

? TVGA letter dated October 14, 2008 regarding the as-built condition review

? Code Enforcement Officer Memorandum dated September 25, 2008 stating that he had done an on-site inspection of the garbage receptacle location and that it does not violate any regulations.

Ms. Hartnett presented two documents that were delivered just today from Carmina Wood, which she believed, accurately reflects the as-built. Also showing the signage, the trees, the drainage, the topographical elements of the drainage in the rear of the property, and the revised playground.

Mrs. Hacker: Don did you go on-site for this?

Mr. Hoefler: Yes.

Mrs. Hacker: And you have no issues with this? Is this the same one that you've seen?

Mr. Hoefler: Yes.

Mrs. Hacker asked for comments.

Mr. Stringfellow: Just having seen it now, I have not had a chance to compare it with the Codes.

Ms. Hartnett: We could leave it with you and take your review. I didn't want to have the copies printed until we had the Town's sign-off on it. You could take some time and review it with what you need to. I would like to thank Mr. Hoefler for his hard work and working with us on this to get it done today.

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Mr. Downey: You might want to explain to the Board about the issue that you had with your engineer.

Ms. Hartnett: We went back and forth with Mr. Wood on trying to achieve the final drawing. We had the survey from Freeman Surveyors which had a lot of the topographical information and there seemed to be some confusion between Mr. Wood and Freeman about what actually was required on the document. Again with Mr. Hoefler's assistance and explanation to Mr. Wood, we were able to achieve what's before you today, which we believe, hopefully will satisfy the Town with regard to this project.

Mrs. Hacker: Who actually signed off on the document?

Ms. Hartnett: Chris Wood.

Mrs. Hacker: About the number of copies that we need?

Ms. Hartnett: That's why I wanted to get what you need first and then I can have additional copies drawn.

Mr. Downey: Eventually we're going to need the required number. We need something to look at and make comments on.

Mr. Stringfellow: We should have enough copies so at least the members of the Board can look at it.

Ms. Hartnett: The copy expense on these documents is pretty exorbitant, so I was waiting?

Discussion followed about printing expenses.

Mr. Hoefler offered to have 10 copies made for the Planning Board members to review.

Mr. Downey: As you can see the Board is trying to work with you. We had two issues that needed to be done; the as-built site plan and also the garbage. With the memo, the garbage issue is taken care of, so we're done with that.

Ms. Betz requested a copy of Code Enforcement Officer's Memo.

Mrs. Hacker: The property to the west: the placement of the building is not indicated.

Mr. Downey: We need to get the copies and take a look at them. It's just that this has been going on, and on and on. We had some conversation and that's why I wanted you to relate to the Board some of the difficulty in getting this. I know that Don (Hoefler) has also had some conversation with the engineer. In fairness, to both the Board and you, they will take a look at it and then we'll discuss this at the next meeting.

Mrs. Hacker: Does anyone else on the Board remember anything else that we were asking for?

Ms. Hartnett: The main issue we recalled was the drainage, with the topographical, that information should be there.

Mrs. Hacker: Can Mr. Wood revise this copy?

Mr. Hoefler: If he has that information. If it showed up on the original plans before, I'm sure he can.

Mr. Stringfellow: When the Final Plan was submitted originally, the lot on this side was vacant (Hodgson Agency side).

Mrs. Hacker: Could this Board make an exception? Not having it on the plans due to that situation.

Mr. Downey: Let's see? I think this is kind of an exception because of the length of this; you might be able to grand-father it, so let's see if there's anything else.

Mr. McGirr: As far as all the old plans that we had. How does this relate to those? The elevations from the old plans are still good?

Mr. Stringfellow: The original site plan that we approved, I believe the building was two feet less in width, the playground was in the back instead of on the side?

Mr. McGirr: I'm not questioning that. I'm questioning if we have to have side elevations?

Mrs. Hacker: To accept as the final as-built site plan.

Mr. Hoefler: You get the elevations to approve the site plan to say you like the look of the building. At this point the building is built and I don't know if there is anything you would change on the elevation, and anything you would really want to change. We weren't on the Board for the original submission, so I don't know what was submitted, elevation wise. I would guess from their standpoint and from my standpoint, I was looking at what is existing on the site and not what's on your final plans from before.

Mr. McGirr: What I'm getting at is if we look this over and approve this; this is the last step, this is all we need. We don't have to look at anything else from the past?

Mrs. Hacker: I think when we get to the point of accepting this we will accept this page as what we have now as our final as-built plan. Could we stipulate that there are variations from the original?

Mr. Downey: You've got a sheet on the original that you are basically replacing with this.

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Mrs. Hacker: We're only replacing the one sheet. The other sheets will show information other than what we have, so I'm saying that we accept this with a letter stating that due to the circumstances involved in this particular situation this is what was built; this is what we believe to be on-site and not the same as what we approved in our final site plan.

Ms. Hartnett: Right there were some significant changes, like with the playground and what not?

Mr. McGirr: What I'm getting at is that I don't want you to have to go and do six layers of plans, when we're only after this.

Mr. Downey: I'm okay with that.

Mrs. Hacker: Are there any other questions or comments.                      There were none.

Mrs. Hacker: We will table this until October 28, 2008.

#### DISCUSSION OF FUTURE MEETINGS AND PLANNING AHEAD

Mrs. Hacker: If we knew on the Thursday before the meeting that we had no agenda items, Mr. Hoefler could we book you for a training session?

Mr. Hoefler: You could definitely book me but the thing is I only do two or three sessions. We have other people that, I think with a little notice, I could possibly slide in. We have ten presenters and four or five that present two different ones. I know that some here have already attended, if I could have a list of those who have attended and what presentation was given we could try to fill in one that hasn't been attended. I guess I could generate the topics and put in the names of the Board and at the next meeting figure out who has had what presentation.

Mrs. Hacker: Please remember to bring in your certificate of completion because Thelma is required to keep a list updated.

Mr. McGirr: We also have these disks that you can use to go on-line for training.

Mr. Stringfellow: Can you get a certificate when you do go on-line?

Mr. McGirr: As I recall the instructor said yes.

Mrs. Hacker: We will put that on our agenda if you can get us a list of what is available.

Mr. Hoefler: Yes I will.

#### LIAISON ? COUNCILWOMAN MAGHRAN

Mrs. Maghran: I apologize for being late. I was at the Holiday Lighting Committee meeting; and I really don't have anything for this evening.

TOWN ATTORNEY DOWNEY

Mr. Downey had nothing further for this evening.

Mrs. Hacker: November 11, 2008 there will not be any meeting. The Town is closed for Veteran's Day. Is there anything else for this evening?

Secretary Faulring: At the last meeting it was discussed coming up with an application process schedule.

Mr. Downey: What's happening is as applications come in they're taking different routes. We need to have a consistent route and sign-offs, so that we don't get a project that's missing a pertinent piece of information. Code Enforcement looks at a lot of this but sometimes things gets missed, so there are some kind on inconsistencies there. I've talked to David Shenk about it and he is going to canvass other Towns so that we got something to follow. It's inefficient to get an incomplete application.

Mrs. Hacker: We've tried this before. Canvassed other Towns, came up with a very concise form to follow, and nobody wanted to use them.

Mr. Stringfellow: What was mentioned at some point was an applicant goes to see the Building Inspector, and the Building Inspector tells the applicant what more, if anything, is required. Then the applicant gets that information and goes right to the Town Clerk's office and indicated that they have already talked to the Building Inspector.

Mr. Downey: So what we talked about is having something that the Building Inspector can sign-off indicating that the application has been approved to proceed.

Mr. Stringfellow: And so the Town Clerk doesn't send something to the Planning Board without that signature.

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Mr. Downey: The Town Clerk said that he is not always the person at the counter, so his staff might accept something from an applicant who says this has been approved. Something with a signature would help eliminate incomplete applications being forwarded in that situation. If it's not signed, it wasn't approved. That way it is in black and white. We will try to coordinate this with the Town Clerk and Code Enforcement. I've already started preliminary talks with Dave (Shenk) and I've talked to Code Enforcement. I'm going to talk further with them to get on the same page conceptually.

Mrs. Hacker: So we wouldn't be involved with this, because we are basically the last step?

Mr. Downey: I would probably have it done and then pass it by you to see if there are any suggestions. The end result comes to you.

Mrs. Hacker: Is there anything else for this evening?

Mr. Stringfellow made a motion to adjourn at 8:06 PM, seconded by Mr. McGirr and carried.

Respectfully submitted,

Thelma Faulring

Secretary to the Boards and Committees

Mrs. Hacker: I'm sorry. Please add this as an addendum to the minutes. Richard Brox called me today; he has had three back surgeries already; he was in the hospital again today, he is having severe nerve issues in his back and tomorrow he is getting another nerve block. He wants this Board to know that he is not resigning from the Board, but he would highly recommend that we look into interviewing alternate candidates so that we are prepared with a backup in the event that he is not able to continue. We have talked about doing this in the past. What is our next step Mr. Downey? Can the Board run an ad for us?

Mrs. Maghran: I can bring it up at to the Town Board.

Mrs. Hacker: We would very much like to be involved with the interview process.

Mr. Downey: Is he saying "look, I may have problems with my surgery and therefore I won't be able to do this," or is he saying, "I may not be able to attend certain meetings so you may want to hire someone for those meetings"?

Mrs. Hacker: No, he's either going to do one or the other, he's not going to be on the fence. It's either all or nothing. I explained to him that it has been brought up to me on more than one occasion to interview other people and I have looked around for interviewees. It was agreed that this year we would interview other candidates, he was very agreeable to that. But it will be hard to find someone who is willing to do the schedule for the money; and his availability.

Mrs. Maghran: I will have them look into running an ad for the position.