

TOWN OF BOSTON

JASON A. KEDING
Supervisor

MICHAEL A. CARTECHINE
JENNIFER L. LUCACHIK
KELLY L. MARTIN
KATHLEEN SELBY
Town Board

SANDRA L. QUINLAN
Town Clerk - Tax Collector

ROBERT J. TELAAK
Highway Supt.

DEBRA K. BENDER
KELLY A. VACCO
Town Justice

SEAN W. COSTELLO
Town Attorney

ANNA KOBIALKA
Prosecutor

SUE FITZNER
Assessor

Thomas Murphy
Code Enforcement Officer

TO: Planning Board
Town Clerk
Code Enforcement Officers

Town Supervisor
Highway Superintendent
Town Assessor

Town Board Members
Town Attorney
Planning Consultant

AGENDA

PLANNING BOARD MEETING

May 09, 2023

Town Hall – Court Room

- 1) Call meeting to Order
- 2) Approval of Minutes
- 3) Old Business
 - a. Board of Elections
- 4) New Business
 - a. Boston Patriots Little League Football – Town Park Lighting
 - b. Tracy Hirsch - Requesting Pre-liminary Plat Approval of a 3 lot sub-division to be located at 7044 Omphalius Rd
- 5) Reports
 - a. Planning Consultant
 - b. Town Attorney
 - c. Town Board Liaison
 - d. Board Clerk
- 6) Motion to adjourn.

TOWN HALL
(716) 941-6113
Fax (716) 941-6116

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(716) 941-6518
Fax (716) 941-9264

TOWN COURT
(716) 941-6115
Fax (716) 941-5169

HIGHWAY GARAGE
(716) 941-5869
Fax (716) 941-3677

NUTRITION PROGRAM
(716) 941-5773

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PLANNING BOARD MEETING MINUTES
February 14, 2023 – draft

1. Call meeting to order

Meeting to order by Paul at 731pm

2. Approval of Minutes

December 2022

Motion to approve minutes made by Mr. Liegl

2nd by Ms. Weiss

APPROVED

3. New business

a. Planning board elections –

Per Mr. Ziarnowski, this will be post-poned for next month

4. Old business

- a. 7072 Boston State Rd LLC – Requesting Planning Board review of a proposal to construct a 5,183 sq.ft. building consisting of a convenient store with fuel and a Tim Horton's with drive-thru, as well as a 6,000 sq.ft. office building at 7072 Boston State Rd.

Chris Wood – site plan – same as the one at the last meeting. Prepared the landscaping and lighting plans. Submitted cut sheets of proposed light fixtures around the perimeter and building. All dark sky compliant and LED. Provided to the board elevation of the grounds and signs shown to the Board Members. Base is stone which is like the materials on the building. More residential type windows rather than store front windows. Chris Wood pointed to the plans to the Board members. Discussed the lighting of the building and signs. Further discussion of the landscaping. Something added: put a garage on the side of a building. Mr. Ziarnowski: Will have 2 garages? RESPONSE: Yes and did not lose any parking. Discussion regarding DOT – submitted the traffic study, revised the traffic study and re-submitted. Right now, how will the striping/restriping on Boston State Road look like. There will be a left turn lane and a right turn lane. Still finalizing with DOT.

Mr. Ziarnowski mention to the other Board members to have this scrutinized so the applicant can do a final plan.

There will be a public hearing from the Town Board after this is sent up to them. Tonight, this is a business meeting only and not a comment session. Any questions, do not involve the code enforcement officer since he is not part of this plan. This is for the Planning Board and Ms. DesJardins/Planning Board Consultant will be happy to answer any questions.

Mr. Bowen: Do we get access to the submissions to the DOT and response? RESPONSE: Chris Wood advised that information has been submitted to Ms. DesJardins. Mr. Ziarnowski commented that they can request this info from Ms. DesJardins. Mr. Bowen: Second question about the turning lanes. What is the length? RESPONSE – waiting for the traffic study.

Mr. Jackson: Also interested in the traffic aspect. The plans do not convey everything. Focused on the property which is appropriate. Right now, there is not enough room for the driveway, that is 50ft before. RESPONSE: More than 50ft. Mr. Jackson agreed. Mr. Jackson commented that there is not a lot of room. RESPONSE: There is a guardrail. Mr. Jackson: Does anything need to be constructed or is it just painting lines? RESPONSE: Should be just painting lines on the road. Once a response is received from DOT, then any necessary changes will be made.

Ms. Weiss: Traffic is the main concern due to the gas station on top of the new Tim Hortons.

RESPONSE: The new plans will be an improvement with having left and right turn lanes.

Ms. Weiss was had concern with traffic and glad there are going to be turning lanes.

Mr. Liegl: Agree with the other board members. Now, the current location, with just being a Tim Hortons and now there will be a convenient store, gas station and new Tim Horton's. RESPONSE: There is more circulation space with the new plans. *Chris Wood referenced the plans to the board members.

Mr. Bowen: You cannot compare to the current site to the new site. RESPONSE: the biggest traffic generator will be the drive thru.

Mr. Jackson: Keep in mind that the traffic concerns come from the people in the lanes waiting to make the turn. RESPONSE: Will have a dedicated lane for the left turn. Will have a lane and small shoulder. Also, there will be the same for turning right.

Mr. Ziarnowski: Don't know how long the lane will be at this time? How many cars it can accept? RESPONSE – 5 TO 6 CARS. Great.

Mr. Liegl: Talked about the Tim Horton's on 20A. Has the medical group in the back. Talked about the pull in / out. RESPONSE: This location has a traffic signal and a crossroad. Mr. Liegl: Further talk about the left and right lanes and the traffic from the 219.

Mr. Ziarnowski: Opinion, that there is not much northbound traffic, mostly southbound. RESPONSE: reconfiguring the off-ramp configuration.

Mr. Bowen – will have signage facing the 219? RESPONSE: For the building? There will be some signage. No sign on the 219. Will have a sign on the building. *Referenced the plans.

Mr. Ziarnowski: Talked about the sign, internally lit. If a pedestrian/biker, how to get in? RESPONSE: Will have to use the driveway.

Ms. Lucachik: Talked about the Ridge Road location, the Delta Sonic location. RESPONSE: This driveway will be wider.

Mr. Ziarnowski: Talked about a patio. RESPONSE: Yes, approx. 8x10. Mr. Ziarnowski, Any green space for a picnic table? RESPONSE: Will have islands and can put a picnic table there. Can lose a parking spot for tables.

APPLICANT – there is one at the current location and will have one at the new location.

Mr. Ziarnowski: Likes the landscaping and hope it will be maintained. Keep it nice. Nothing to add.

Mr. Liegl: Current location, in the parking lot, there can be several cars, are they employees? RESPONSE: They park at the applicants home, next door. APPLICANT: Employees park in front or home next door. Some cars use the lot as a park-n-ride. Never towed anyone but will leave a note on that vehicle to advise there is a park-n-ride just down the road. *Further discussion about parking and employee parking.

Mr. Jackson: What is the most number of employees cars on site? RESPONSE: 6 or 7

Mr. Ziarnowski: What is the seating capacity inside? RESPONSE: 20 people. Current location, about 22.

Ms. Weiss: It dips down in the back, where the parking is to be located. RESPONSE: Will work with the existing grade.

Mr. Ziarnowski: Talked about spaces in front of the office building, more than needed. REPOSE: *shown on plans.

Mr. Jackson: Asked the applicant to identify himself for the minutes – Ray Miranda/owner speaking with the board.

Mr. Ziarnowski: Get us the elevations and hard copy and show the canopy over gas pumps. Got the lights, DOT studies will get from Ms. Desjardins but not complete yet. RESPONSE: Not fully approved yet.

Ms. Lucachik: Talked about the exit and enter – some can be narrow. Will there be curbs or pavement?

RESPONSE: There will be curbs along the pavement. Sufficient room for emergency vehicles?

RESPONSE: Yes. Dumpster? RESPONSE: more than enough room. Fuel truck? RESPONSE: There is room to unload.

*Talked more about the lighting compared to what was provided to the board.

Mr. Ziarnowski: Talked about Joe (works with Chris Wood regarding Deanna Darling Project) about a diff project. Talked to Ms. DesJardins, will need a variance.

RESPONSE: Anything else, let him know.

Ms. Weiss: One handicap? RESPONSE-Yes in front of the convenient store.

Nothing further

5. Reports

- a. Planning board consultant - not to share
- b. Town Attorney – nothing to share.
- c. Town Board Liaison – Will provide the board with new contact#. Info about Airbnb, specific to the Town of Boston, to be provided. Comp plan went out to bid.
- d. Board Clerk – nothing to share.

6. Motion to adjourn

Motion made by Ms. Weiss to close the meeting.

2nd by Ms. Schutt

Closed at 803pm.

PLANNING BOARD SPECIAL MEETING
March 28, 2023 – draft

1. call meeting to order

Special meeting to order by Paul at 730pm

2. approval of minutes

Saved for next month

3. New business

- a. Planning board elections - save for next month

4. Old business

- a. 7072 Boston State Rd LLC

Chris Wood talked to the board members with the changes made to the plans. Picnic area applied and increased the outdoor seating. DOT results. Suggestions were received.

Chris Wood was referencing the plans to the Board Members.

Sarah talked about coming off the 219 and Chris Wood responded.

Mr. Stisser asked more about the turning lane. Chris Wood responded back to the board.

Mr. Stisser talked about the turning lane more. Chris Wood commented that this still needs to be ok'd by the DOT.

Chris Wood talked about the North lane with the Board from the Plans.

Mr. Ziarnowski talked about the DOT. Chris Wood commented that this will be supervised by the DOT.

Ms. Lucachik – You do the striping? RESPONSE: This would be done by a site contractor.

Ms. Weiss – maintenance? RESPONSE: Would be handled by the DOT.

Mr. Bowen – any change to the acceleration lane? RESPONSE: no.

Mr. Stringfellow – no comments

Mr. Jackson – no comments

Mr. Stisser – no comments

Mr. Ziarnowski asked: There are no variances needed, correct? RESPONSE from Ms. Desjardins – No

Mr. Ziarnowski – requested a discussion of the plans. RESPONSE: Talked to the Board Members.

Mr. Ziarnowski talked about lights? RESPONSE: Decorative – No. Darken will be used.

Mr. Ziarnowski mentioned that the requirements should be discussed with COE/Murphy

Mr. Bowen – asked about figure eight – the impact study. RESPONSE: Recognized by the DOT. It is a manual. Further discussion about this process talked to the Board.

Mr. Bowen – You prepared the study? RESPONSE: from the ITEI Manual.

Ms. DesJardins commented - DOT has confirmed the numbers.

RESPONSE: some changes were made by the DOT.

Mr. Bowen– 4 businesses with one drive-way. Mr. Bowen was not satisfied with information provided.

Mr. Ziarnowski talked about the project – county, dec, dot input – time to move to the Town Board.

Motion made by Mr. Ziarnowski to send this applicant to the Town Board in favorable to proceed.

2nd by Mr. Jackson

ROLL CALL

Mr. Jackson – Yes

Mr. Bowen – No

Mr. Stringfellow – Yes

Mr. Stisser – Yes

Ms. Weiss – Yes

Mr. Ziarnowski – Yes

APPROVED

Application#606 / Pratt – Transfer of property on Brown Hill Rd

Jean (recording at 15:24)– Buffalo Water Keeper – speaking on behalf of the applicant.

Went into an agreement with Mr. and Mrs. Pratt. Further discussion on the boundaries. Looking to sub-divide regarding the well on the property.

Mr. Ziarnowski – we are in charge of sub-divisions. Not in the habit to make a non-conforming lot.

If want a legitimate lot, need 3 acres of zoning with 75ft of frontage from the road.

We are going to make a recommendation to the ZBA that this is not good, would then be land locked.

Question made with COE/Murphy – suggested to take the line – give the well – move the line. With doing this, there is no approval needed. Town Planner went to Assessor.

Sarah has the work needed and Mr. Costello talked to the Board. Don't feel this can be done to move the line.

Mr. Ziarnowski talked more about the attorney's knowledge and the planning board consultant. Both can help the applicant.

Jean confirmed, conversation to be had with Ms. DesJardins and Mr. Costello.

Mr. Ziarnowski talked about lawyer up and don't get the boards in play

Mr. Jackson – talked about the easement. Mr. Costello says this can be talked about with lawyers.

Mr. Costello commented about being skeptical and can look into it further.

Mr. Ziarnowski asked: Why do you not want the well? RESPONSE: Jean commented that the well belongs to Paulette and the well is the only source of water for Paulette, drinking water.

Mr. Ziarnowski asked, does the property split the well? RESPONSE: yes. Jean provided survey to the Board Members

Mr. Stringfellow had a short discussion with Jean.

Mr. Ziarnowski recommended pursuing another way to get this resolved.

Jean will reach out to Ms. DesJardins and Mr. Costello

Margaux Valenti, Water Keeper Attorney, spoke to the board on behalf of the applicant.

5. Reports

a. Planning board consultant - none

b. Town Attorney – none

c. Town Board Liaison – Updates – Comprehensive Plan has 4 bids and they will be discussed at the Town Board meeting. Mr. Jackson – what percentage is paid for by Grants, the whole thing?

RESPONSE: large portion. Mr. Jackson commented that the tax payor is not paying. Mr. Costello – state and county money funding. Next – the Town Board had agreed a resolution to decline the suggestion of the county Executive regarding gas appliances, to do electric only. Several towns did the same. Notice read by Ms. Lucachik to the Board. Mr. Jackson – did some research regarding natural gas.

Next – Assoc of Towns had annual training this past February. Types were talked about.

d. Board Clerk - none

6. Motion to adjourn

Motion made by Mr. Stringfellow to close the meeting

2nd by Ms. Weiss

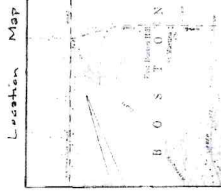
Closed at 809pm



Notes

Owner: Tracy Hirsch
 6142 Cole Rd., Boston, NY
 Zoning: RA
 Area: Lot 1: 88.9 acres Lot 2: 17.53 acres
 Lot 3: 125 acres
 Reference Deeds: L-11046, P-7512, L-8895, P-487

- E monument found as noted
 - C & E 6" iron rod set
 - 600 line marker and approximate location underground gas line
 - 3" gas valve
 - 3" gas well
- South of bearing N75°00'00" East Network
 (A) = record
 (M) = measured
 N/A = now or formerly lands of

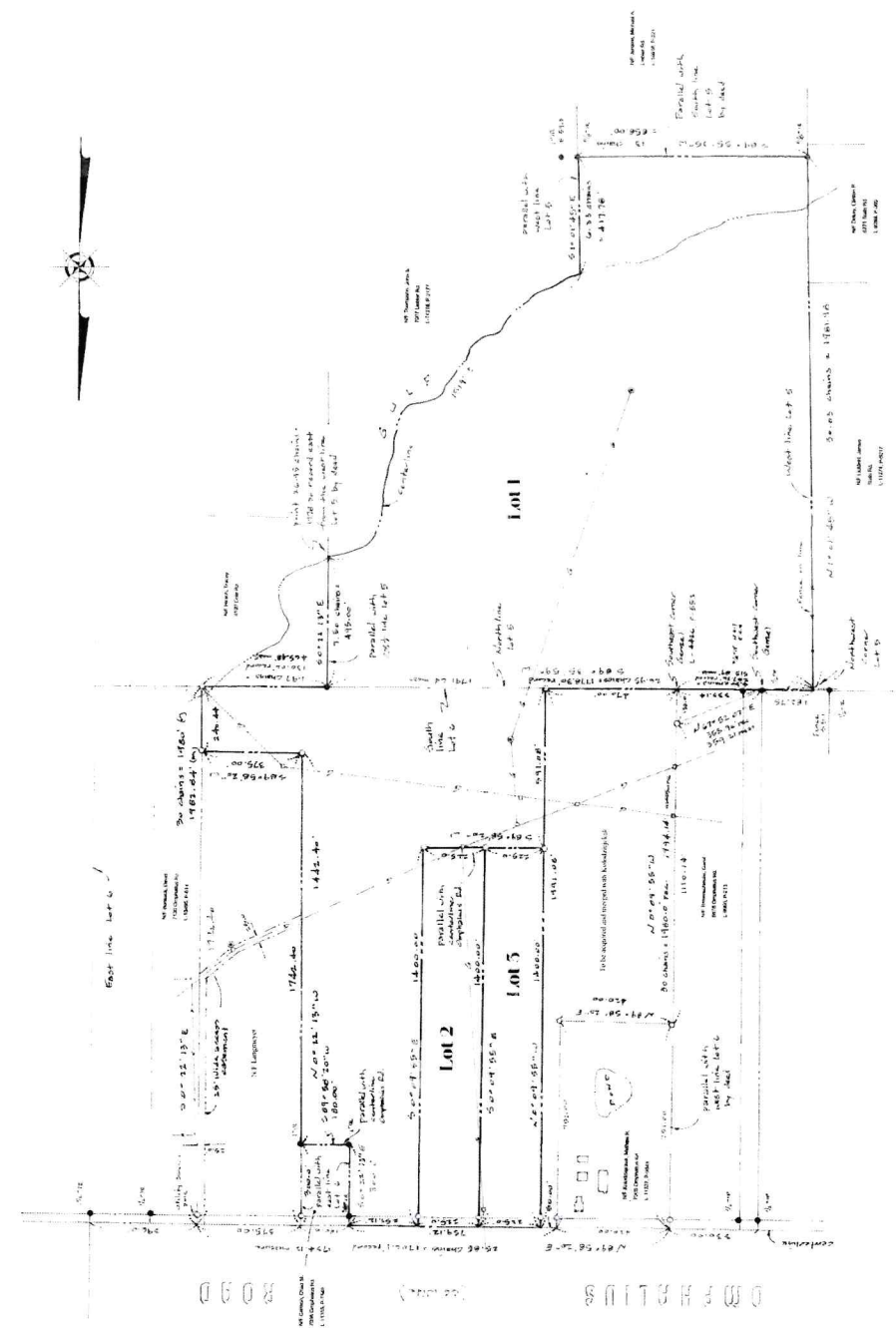


5 Lot Subdivision

Town of Boston, One County, NY
 Part of Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Date: April 12, 2023
 Scale: 1" = 200'

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