

Minutes of the Village of Williamsville Planning Board meeting of Monday, August 1, 2022, held at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, at 7:30 p.m.

Present: Amy Alexander, Chairperson
Kirk Burzynski, Member
Kevin Lester, Member
Wes Stone, Member
Walter Pacer, Member
Kate Waterman-Kulpa, Alternate Member

Absent: Chuck Rizzone, Member
Jim Nau, Alternate Member

Also Present: Bridget Prichard, Building/Zoning Clerk
Charles Grieco, Village Attorney
Tim Masters, CEO
Christine Hunt, Trustee Liaison to Planning Board

Chairperson Alexander opened the meeting at 7:30 p.m. by leading the Pledge of Allegiance.

Amy Alexander welcomed Kirk Burzynski, as a new Planning Board member, and Christine Hunt as the new Trustee Liaison to Planning Board.

ON MOTION by Kevin Lester and seconded by Wes Stone it was moved to approve the Minutes from June 6, 2022.

All in favor

Kate Waterman-Kulpa abstained.

ON MOTION by Amy Alexander, seconded by Kate Waterman-Kulpa it was moved to adjourn for Executive Session with Chip Grieco.

All in favor.

ON MOTION by Amy Alexander, seconded by Kate Waterman- Kulpa it was moved to resume the meeting at 8:32.

All in favor.

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New Business

LOG #2022-PB-04

Northeastern Financial Partners LLC. 5780

Main St

Signage Review

Colette Safy was present. She leases the building.

Amy Alexander began on asking Colette Safy if they were replacing the existing sign on the property. She confirmed they were, as well as there being a small sign by the door.

Amy Alexander asked if she knew how many businesses were in the complex.

Colette Safy stated she did not. She confirmed the property where the sign will be placed is one single building.

There was a discussion about sign codes.

Chip Grieco stated they may have up to two signs per use, and one additional for a corner lot. So they can approve three signs of any type.

Amy Alexander asked if there were any questions or comments.

Wally Pacer asked what the background color would be.

Colette Safy stated the color will be black.

Kate Waterman-Kulpa asked if the silver lettering would be shimmery or a matte. She was concerned it would not be readable.

Colette Safy stated that it will be the same color as the existing sign, and it is readable.

Kate Waterman-Kulpa asked what the square footage was.

Tim Masters stated it was 19 Square Feet.

There was discussion about the posts, height, and landscaping.

ON MOTION by Amy Alexander, seconded by Kevin Lester, it was moved to **APPROVE Log # 2022-PB-04** Northeastern Financial Partners LLC at 5780 Main St. for Signage Review, as submitted on 8-1-2022. To be amended to include **landscaping that will completely surround the base of both signs, and the bottom of the sign face to grade is no more than four feet.**

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Amy Alexander	Yes
Kirk Burzynski	Yes
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	Yes

Motion Carried.

LOG #2022-PB-6A & 6B

Blocher Homes-135 Evans St.

Renewal of Approval

Sean Hopkins of Hopkins, Sorgi & McCarthy Pllc was present representing People Incorporated. He is requesting an additional six month extension from September 8, 2022 to March 8, 2023 per his letter dated July 8, 2022.

Amy Alexander gave Kirk Burzynski a brief explanation of the Blocher Homes project.

There was discussion about when there may be a verdict on the litigation, and when construction may begin.

Sean Hopkins said possibly the end of September, or early October.

ON MOTION by Amy Alexander, seconded by Wally Pacer, it was moved to **APPROVE Log # 2022-PB-6A&6B** Blocher Homes, located at 135 Evans St. for Renewal of the Site plan, and Architectural approval from September 8, 2022 to March 8, 2023.

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Yes
Kevin Lester	No
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	yes, based on previous approval which she was not in favor.

Motion Carried- 5-1

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Old Business

Log #2022-PB-02 One Eyed Cat Brewing- 5893 Main St.

Site Modification

Ryan Walser from Pork Bellies BBQ was present on behalf of One Eyed Cat Brewing.

There was a discussion between the Board Members about the layout, and where the smoker was located.

Ryan Walser stated based on the last meeting they decided to get rid of the smoker trailer, and anchor the smoker to a concrete pad with a pergola over top of it. He said it will be a nice looking outdoor grill/smoker area.

Kate Waterman-Kulpa asked why the application is at Planning Board when it is a historic landmark.

Tim Masters stated this is a building only designation. The site is not included. He stated that the Historic Designation sheet he has, has the landmarks as building, building and site, and site.

Amy Alexander stated so for this parcel it is only the building.

Tim Masters stated yes that is what his papers say, but he said HPC does not agree with him.

Amy Alexander stated that in reality if you put a patio on the property it can be taken out and not affect the building.

Kate Waterman-Kulpa stated the Pergola is an architectural element. She stated she is asking questions because she is on both Boards.

Tim Masters stated he has no preference what board it goes to but he stated it is not clear what triggers a referral to HPC, and someone needs to make that determination. He has a list from October of 2017 that clearly lists if the Historic nomination is for the building, site, or both.

There was discussion about what should be referred to HPC.

Amy Alexander stated that they have to deal with what they have before them, and whether or not it should be before them. She asked Chip Grieco to clarify.

Chip Grieco stated reading how the property was designated as a landmark he cannot answer that question.

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There was a continued discussion about what should be included in a Historic designation, what should be referred to HPC, and continued disagreement by Kate Waterman- Kulpa about the list of historic designations that Tim Masters was given as a reference.

Amy Alexander asked if they can approve the Site Plan modification contingent on whether or not the property, or just the building are historic.

Kate Waterman- Kulpa stated she would make a motion to table and get referral from HPC if Planning Board thinks they are going to be the decider on this.

There was more discussion on a HPC referral.

ON MOTION by Kate Waterman-Kulpa, seconded by Wally Pacer, it was moved to **TABLE** Log # 2022-PB-02 One Eyed Cat Brewing, at 5893 Main St. pending HPC referral.

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Yes
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	Yes

Motion Carried 6-0

Amy Alexander advised the applicant that he can continue operating as he has been until the next meeting.

Log #2022-PB-03A Asher Crossing- 2 Unit, 141 California Dr.

Site Plan Review

Chip Grieco stated at the last meeting they tabled the application with the understanding they would come back for Architectural approval because it is a new building construction in the R3M district, and the R3M District requires Planning Board review, and a Site Plan modification because at the time of approval the driveways were in a different location. The two are linked because the building would have to be designed differently if the driveways were put where they originally were approved to be. He advised the applicant that if they disagreed with that

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Interpretation they could appeal that to the Zoning Board of Appeals and it would be tabled tonight. He stated he believes they want to proceed and try and get this resolved.

Jeff Palumbo was present to represent Natale Development in regards to Asher Crossing at 141 California Dr. Also present are Angelo Natale, Bobby Corrao, and Tommy Corrao.

He stated that there are two issues. Number one being the architectural review. Number two would be the location of the driveways. He stated the facts are as follows.

1. The plans were submitted and a permit was issued, and the building has been constructed.
2. It is only because the Zoning District they are in, R3-M that they even need architectural approval for the duplex.
3. The architecture is the same as the other buildings.
4. They supplied an As-Built foundation survey.
5. Is the question on if mistakes were made.

He believes mistakes were made by everyone, but the building is up with approval from code enforcement, and the driveways are in a different location so he believes they are required to come to some sort of compromise. He believes they can start by agreeing to do additional landscaping, or colored driveways if the Board requests that. He is requesting Architectural Approval on the building that was already built. And an amendment to the site plan based on the As-built Drawing they already submitted.

Amy Alexander stated she was not on Planning Board at the time of approval but said Planning Board, and Traffic & Safety did not like the driveways together. She wants to know why they didn't keep them separate.

Jeff Palumbo stated the most important reason is that it allowed for the balconies to be placed on the outside for more privacy, and instead of having the green space in the middle where the owner may not feel any ownership of it, it created more green space, and privacy. He stated he does not believe there is any actual pedestrian safety issue. He said a driveway is there whether together or apart.

Wally Pacer asked why Natale never came in for a modification.

Jeff Palumbo asked why the building Permit was issued.

Tim Masters stated he determined they did not need to come back for a modification.

Angelo Natale stated a mistake was made on both parts. He stated he will not tear down any buildings and is just asking for a compromise.

Wes Stone said he wished they had come back with a revised site plan, but does not have any issues with the driveways.

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There was discussion about curb cut options.

Kevin Lester agrees mistakes were made but doesn't expect them to knock down their building and believes they need to move on.

Kirk Burzynski thinks it is a nice development and also believes they should move forward, and maybe do some additional landscaping.

There was a discussion about the gazebo, and landscaping.

Kate Waterman- Kulpa would like to see a sign on the gazebo.

There was discussion confirming each garage was a two car garage with a 16 Ft driveway.

There was continued discussion about sidewalks.

Amy Alexander asked if they will be submitting a modified site plan showing the alterations.

Jeff Palumbo confirmed they would, but they are still looking for approval tonight.

ON MOTION by Amy Alexander, seconded by Wes Stone, it was moved to **APPROVE Log # 2022-PB-03A** Site Plan modification for Asher Crossing, 2 Unit, located at 141 California Dr. as amended August 1, 2022. With additional modifications to include,

- A sign directing pedestrians to the Lehigh Trail located at the East end of the property.**
- Include additional low landscaping between the two driveways and along the East side of the property**
- Include detailed drawing, and rendering of stamped concrete driveways including a border along the east and west edges of each driveway.**
- Include dimensions of each driveway.**
- Include a sign on the Gazebo that it is a public space and all are welcome.**

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Yes
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	Yes

Motion Carried 6-0

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Log #2022-PB-03B Asher Crossing- 2 Unit, 141 California Dr.

Architectural Review

Jeff Palumbo was present to represent Natale Development in regards to Asher Crossing at 141 California Dr. Also present are Angelo Natale, Bobby Corrao, and Tommy Corrao.

Tommy Corrao passed out samples for the Planning Board to review, it was confirmed they will be using the same colors, materials, and design as the other buildings.

There was discussion about the materials, and colors being used.

Kate Waterman-Kulpa asked how much vegetation there will be screening the property from the trail.

Bobby Corrao said they will be doing a split rail fence.

Amy Alexander was questioning the gable above the front door.

Dave Sutton from Sutton Architecture was present, and explained the design.

There was discussion about the dormer.

Amy Alexander said she believes the garage doors are very prominent, and very white. She asked if they could add some type of detail to it, and could the hardware could possibly be black.

Dave Sutton stated there will be decorative carriage hardware to break it up, but they would like to keep the garage doors white. They would be willing to do additional hardware.

Kate Waterman-Kulpa asked if they could do the door in a different color.

Dave Sutton said he cannot make a commitment on that because of the limited availability of colors for garage doors. He said garage doors are at a premium right now and if you start looking into custom doors you could wait up to two years.

Kate Waterman-Kulpa said garage doors in the front do not fit the Village, and they need to make them less prominent. She said based on the fact that this building was not supposed to match the others they could do the garage doors in black if it is not considered custom.

There was additional discussion about the garage door.

Kevin Lester stated he had no problem with drawings, or the garage doors being white, with details.

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Kirk Burzynski stated he was fine with the development, and would prefer it be uniform with the rest of the development.

ON MOTION by Amy Alexander, seconded by Kevin Lester, it was moved to **APPROVE Log # 2022-PB-03B** Asher Crossing located at 141 California Dr. for Architectural Review of the duplex. Approval is for Architecture as submitted on the concept elevations dated June 6, 2022, reviewed by Planning Board on August 1, 2022.

Kate Waterman- Kulpa asked to discuss the color issue of the front door, and garage doors. She wanted to know if that was something they would be coming back with later on.

Amy Alexander stated the majority of the Board seems ok with the white garage doors.

There was additional discussion about the garage doors.

Chip Grieco advised there is already a motion, and a second, and if there is a vote and it doesn't pass someone can pose an alternative motion. He said it seems to him that the motion was to approve, as submitted.

Amy Alexander said based on the circumstances, and the garage doors already being ordered she feels the majority of the Board are ok with the doors. She stated the motion will stand, and they will take a vote.

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Yes
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	No
Kate Waterman-Kulpa	Yes

Motion Carried 5-1

Amy Alexander called for a short recess.

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Log #2021-PB-06B

Drexel Hill, 255 Evans St.

Architectural Review

Dave Sutton from Sutton Architecture was present to discuss Architectural approval for the improvements on the Drexel Hill site. He said presented on the screen are the drawings for the building they are proposing on Essjay. He said this project has a site plan approval, and they did make some minor modifications to that site plan approval. He said the changes are well within the footprint. He said today they are presenting a series of six townhouses in a row, all with their own primary entrance. It is now a 2 ½ story. They scaled it down from the three story it was originally. He stated they would be using a red brick which matches the existing brick of the complex, but they wanted to introduce different materials and bring the building to life because it is right on the sidewalk of Essjay. They would like to do a gray-black brick, confirming availability, also introducing smart siding in a dove color. He stated he put together an elevation that identifies, and classifies all materials being used. He confirmed that all four buildings will be identical.

There was discussion about the building design.

Kate Waterman-Kulpa wanted confirmation they would not be seeking condo status.

Jeff Palumbo confirmed they will not seek condo status.

There was discussion about building design, and materials being used.

Amy Alexander asked Chip Grieco if they would need an amendment if they were going from two buildings to three buildings within the same footprint.

Chip Grieco answered yes, if they are changing what was approved.

Dave Sutton stated they are reducing the footprint, and would like to request a modification to the original site plan approval.

There was discussion about building design, and height, and how many stories the buildings would be.

There was continued discussion about materials, and colors.

Kevin Lester asked about curbs.

Dave Sutton stated they could make an adjustment on the site plan to add curb stops.

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Kevin Lester asked if there will be lighting for the sidewalks.

Dave Sutton confirmed there will be accent lights on each vertical peer, soffit lighting at the community building, and they could add some security lighting as per code.

ON MOTION by Amy Alexander, seconded by Kevin Lester, it was moved to **APPROVE Log # 2022-PB-06B** Architectural Review for Drexel Hill, at 255 Evans St. for the approval of the architecture as proposed on August 1, 2022, drawing submitted as A-4 for the proposed ten unit building.

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Abstained
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	No

Motion Carried 4-1

ON MOTION by Amy Alexander, seconded by Wes Stone, it was moved to **APPROVE Log # 2022-PB-06B** Architectural Review for Drexel Hill, at 255 Evans St. for the approval of the architecture as proposed on August 1, 2022, drawing submitted as A-4 for the proposed six unit building.

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Abstained
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	No

Motion Carried 4-1

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ON MOTION by Amy Alexander, seconded by Kevin Lester, it was moved to **APPROVE Log # 2022-PB-06B** Architectural Review for Drexel Hill, at 255 Evans St. for the approval of the architecture as proposed on August 1, 2022, drawing submitted as A-2 for the proposed community building.

Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Abstained
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	No

Motion Carried 4-1

Amy Alexander asked to see the Site Plan reflecting changes made.

Dave Sutton stated they did not go outside the footprint. The original units were 1,600 Sq. Ft, and they have been reduced to 1,250 Sq. Ft. They also decided they did not need 7000 Sq. Ft. of community space, and 2000 Sq. Ft. was more appropriate. They would also like to put into the motion that they will add community curb stops for safety.

There was discussion about parking, and sidewalks.

ON MOTION by Amy Alexander, seconded by Kevin Lester, it was moved to **APPROVE Log # 2022-PB-06A** Site Plan modification for Drexel Hill, at 255 Evans St. to approve Site Plan modification as submitted on July 19, 2022 with the requirements that,

- Curb stops placed as a buffer between the parking lot, and community building.**
- Ada accessible parking is to be modified to accommodate accessibility to the community building**
- There is to be placed a sidewalk connection between the two sidewalks flanking the community building.**

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Roll Call:

Amy Alexander	Yes
Kirk Burzynski	Abstained
Kevin Lester	Yes
Wes Stone	Yes
Walter Pacer	Yes
Kate Waterman-Kulpa	Yes

Motion Carried

Discussion on outdoor seating will be tabled.

ON MOTION by Amy Alexander, seconded by Wes Stone It was moved to **ADJOURN**.

All in favor

Submitted by: Bridget Prichard, Building/Zoning Clerk

The next regularly scheduled Planning Board meeting will be held on: Tuesday, September 6, 2022, at 7:30 p.m. (Work Session starts at 7:00 p.m.).