

Minutes of the Village of Williamsville Zoning Board of Appeals held at Village Hall, 5565 Main Street, Williamsville, New York, on Wednesday, March 15, 2023, at 7:00 p.m.

Rick Andrews opened the meeting at 7:00 pm with the Pledge of Allegiance.

Roll Call: Present: Richard Andrews, Chairman
Jeff Hahn, ZBA Member
William Tuyn, ZBA Member
Patricia Fulwiler, ZBA Member
Christine Petrie, ZBA Member

Also present: Charles Grieco, Village Attorney
Bridget Prichard, Building & Zoning Clerk
Dan Delano, Trustee Liaison

Absent: James Celeste

Chairman Andrews opened the regular meeting at 7:00 PM with the Pledge of Allegiance.

Rick Andrews introduced Jeff Hahn as an alternate to the Board. He advised he would be taking James Celeste's spot since he was absent.

ON MOTION by William Tuyn and seconded by Patricia Fulwiler it was moved to **APPROVE** the August 17, 2022 Minutes.

All in favor.

On the agenda:

(1) PUBLIC HEARING

ZBA LOG #-2023-ZBA-01
Area Variance

135 Evans St. (NMU)

PUBLIC HEARING

Log #2023-ZBA-01

135 Evans St. (NMU)

Area Variance Requested

*Owner requests relief from the Village Design Standards parking requirement of 1.5 spaces per unit. Request is to allow for added green space on rear of project
(Requesting renewal of previous approval.)*

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Rick Andrews opened public hearing for 135 Evans St.

Sean Hopkins of Hopkins, Sogi & Mcarthy was present on behalf of the applicant People Inc.

Sean Hopkins stated he was going to go back to what was originally presented in the fall, or summer of 2019 in connection with the request for an Area Variance for the number of parking spaces for the proposed redevelopment of the Blocher Home property located at 135 Evans St. The relief they are seeking has previously been granted twice on June 17, 2020 and March 16, 2022. He stated for Multi-family units you need to have 1.5 parking spaces per unit. They are showing 110 parking spaces when the code would require 143 parking spaces. He stated the parking requirements do not distinguish between 1, 2, and 3 bedroom units. Seventy seven of the units will be one bedroom units, and eighteen of them will be two bedroom units. Approximately 80% of the units will be one bedroom units. He stated the benefit will be the added green space since additional parking is not needed. He went through the 5 criteria previously presented to the Board, and requested a renewal be granted. He stated they are back because there is still litigation pending. They are awaiting a decision.

Rick Andrews asked Chip Greico if this is an extension.

Chip Greico advised it is a renewal of the area variance from June 2020, and March 16, 2022. He said prior to the expiration an applicant may request such period be extended for a period of 12 months from the date of the expiration. If there were no changes to the previous approval the authorizing Board shall grant the extension.

Rick Andrews asked if anyone in the audience would like to speak in favor, or against the Variance.

Victoria Diangelo from 216 Village Pointe Lane was present to speak against the project. She said she had no statement about the parking renewal, but stated the project was very highly contested. She stated the developer misled the Village by saying affordable housing is needed in the Village. She said there is nothing saying it is needed on Evans St. in a congested, high traffic area. She said adding 200

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residents, and cars will be a safety concern. She stated she just wanted to note all the negative affects this project will have.

Rick Andrews advised her that if they deny this application they will just add the additional parking spaces. He stated it is right against their neighborhood, and they felt that it will give them more green space. He wanted her to understand they are here strictly for the parking Variance.

Sean Hopkins stated they did not mislead the Village. He said there is an immediate demand, and tremendous need for affordable housing in this area.

Rick Andrews asked if there were anyone else who wanted to speak in favor, or against.

There were no other comments.

No other questions from the Board.

ON MOTION by William Tuyn and seconded by Patricia Fulwiler it was moved to **APPROVE** the extension with the previously issued conditions from June 17, 2020 (*should the Building Inspector determine that parking is inadequate, the applicant will do a PARKING study at their own expense and submit the results to the Building Inspector*) for the maximum of 12 months.

Roll call:	Rick Andrews	Yes
	Jeff Hahn	Abstained
	William Tuyn	Yes
	Patricia Fulwiler	Yes
	Christine Petri	Yes

Motion Carried. 4-0

There was discussion on setting up a training session on Financial Hardship, and changes to the Open Meeting Law

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ON MOTION by Patricia Fulwiler, seconded by Christine Petrie, it was moved to adjourn.

All in Favor.

Bridget A. Prichard

Building and Zoning Clerk

Date of the next scheduled Zoning Board of Appeals meeting: April 19, 2023 at 7:00 p.m.