

Minutes of the Meeting of the Village of Williamsville Planning and Architectural Review Board, held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, June 3, 2019, at 7:30 p.m.

As amended by PB resolution on 08/05/2019

Present: Wes Stone, Chairman
Walter Pacer, Member
Catherine Waterman-Kulpa, Member
Ron Trigilio, Member
Elizabeth Holden, Member
Ellie Grenauer, Alternate Member

Also Present: Deborah A. Habes, P/T Clerk
Charles Grieco, Village Attorney
Tim Masters, Code Enforcement Officer
Deborah L. Rogers, Trustee (for first half of meeting)

Excused: Charles Rizzone, Member
Kevin Lester, Member

Chairman Stone opened the meeting at 7:40 p.m. by leading the Pledge of Allegiance.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Pacer, it was moved to approve the minutes of the May 6, 2019 Planning Board meeting, as submitted.

Motion carried. 4 – 0. (Ms. Grenauer and Ms. Holden abstained)

Log # 2019-PB-5a
Site Plan Review

Benderson Development Company, Inc.
5712 Main St.

This log number was tabled at the May 6, 2019 Planning Board meeting.

Matthew Oates and James Rumsey of Benderson Development Company were present.

Mr. Oates gave a brief summary of the proposed project revisions as per the Planning Board's suggestions of May 6, 2019.

- The curb cut for the 2-way driveway onto Main will remain, subject to approval by the NYSDOT. A No Left Turn sign will be erected at the southbound exit lane onto Main Street.
- Eliminated several parking lot islands so there will be slightly less greenspace due to the requested revision. 13.7% is being proposed. 15% is required.
- All N. Ellicott side will be curbed and wrapped around the radius onto Swan.

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- Whole parking lot will be curbed.
- View onto Swan Street will be screened with in-kind replacement hedges of the same height from parking lot grade as the existing hedge row so as to shield the Swan Street residences from the headlights in the parking lot.
- They will be making application to the NYSDOT for the curb cut onto Main St.
- Landscaping will be added along the west side.
- They have some tenants they are working with but are not ready to divulge their identities.
- The site plan has been reviewed by the Traffic & Safety Committee. They were not thrilled with the 2-lane ingress/egress driveway onto Main St.
- Stop signs and directional arrows will be erected on both driveways.
- The patio surface will be set with pavers and exposed aggregate.
- Screening for the Dumpsters will consist of masonry to match the building materials with wood/metal gates and the hedgerow.
- The Dumpster will be moved up a bit to the south.

Village Attorney Grieco stated that a waiver could be granted by the Planning Board for the reduction in greenspace since it is less than 50%.

Mr. Stone informed Mr. Rumsey that this property is the former site of the home of Benjamin Hershey, an original settler of the Village of Williamsville. He would like to see some kind of permanent marker placed by Benderson Development on this site to commemorate the site's importance in Village history. Mr. Stone suggested a marker similar to the marker that Benderson previously placed on Main St. at Los Robles to commemorate the old ice house that was originally at that location. Mr. Oates agreed to the placement of an appropriate historical marker.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Pacer, it was moved to approve the site plan, as submitted tonight, *with the following conditions:*

- 1. Stop signs will be added to all egress points.*
- 2. Stop bars will also be added to all egress points.*

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3. *For safety reasons, a No Left-hand Turn sign will be erected at egress driveway out onto N. Ellicott St.*
4. *A waiver is granted for the reduced greenspace in favor of the reduction to one driveway curb cut onto N. Ellicott St.*
5. *The Dumpster will be moved 3 feet south in favor of green space.*
6. *Site lighting will be 0.0 as submitted to protect the neighboring homes on Swan from light spillage.*
7. *Concrete curbing will be on all sides of the parking lot and around the radius onto Swan Street.*
8. *A row of dense arborvitae will replace the existing arborvitae along the north side of the property and will be installed at the height of grade of the parking lot for the purpose of shielding headlights from the view of the residential homes on Swan St.*
9. *At least one historical marker, similar to the one for the Ice House marker on Main at Los Robles, commemorating the site of the 1850 Hershey Homestead will be installed on the property so as to be visible and readable for pedestrians, and a drawing of the marker(s) shall be submitted to the Building Dept. for Planning Board review and approval.*

Motion carried. 5 – 0.

Log # 2019-PB-5b
Architectural Review

Benderson Development Company, Inc.
5712 Main St.

This log number was tabled at the May 6, 2019 Planning Board meeting.

Project architect James Rumsey was present.

His updates:

- Added darker brick and lighter EIFS.
- Thickened up in the cornice.
- Left the center clapboard a steel blue.
- Added different colored awnings stripes, solids) to the different storefronts.

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- Awnings will be straight sloped with no lip. Will extend out 2 feet from building.
- Base is darker brick with a lighter wrap around to back.
- Added more windows at the rear of the building.
- Added more doors at the rear, including service doors.
- Wall and blade signs are above the lighting.
- Added knee walls in pre-cast stone for durability.
- At rear, added pedestrian lighting and lights above the doors.
- Signboards will be AZAK panels.
- Patio floor surface will be exposed aggregate and pavers.
- Railings will be powder coated, square with tube top for more articulation. Second floor railings will match first floor railings.
- At rear, will do a darker brick insert to break up the mass of the wall.
- Water table - Buff colored pre-cast concrete.
- Windows – Storefront will be insulated glass. Second story will be sliding insulated glass.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Trigilio, it was moved to approve the architectural plans as submitted and reviewed tonight, *with the following conditions:*

- 1. Darker color brick to be subject to Planning Board review and approval.*
- 2. Second floor porch railings will be decorative to match the first floor railings.*
- 3. Sign package will be subject to review and approval at a future Planning Board meeting.*
- 4. Awning colors/design will have 3 different colors/patterns, with slope as submitted.*
- 5. Sign board at east end will be AZAK as well as columns at the storefronts and window systems on the west side.*

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6. Building lighting will be as submitted.

7. Signage and awning fabric samples will be submitted to the Planning Board for future review and approval.

Motion carried. 6 – 0.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Trigilio, it was moved to grant a waiver for the cornice and upper portion of the north façade at tenant entry to be dark brown EIFS to match the dark brick due to the fact that this elevation is far enough away that it will resemble stone.

Motion carried. 6 – 0.

In other discussion:

Mr. Stone asked about the Natale development project and if there has been any application for a driveway to tie in to S. Long St. from the complex. Has the Village proposed to Natale a driveway connection to S. Long?

Village Attorney Grieco - Believed the Village Board determined they could not afford to put a road in at this time. It was not a viable option. Cannot bind a future board.

Ms. Waterman-Kulpa - Would like to see the wording for the reasons for the land swap in the official document.

Mr. Grieco - Didn't believe that the wording stated anything about providing access to S. Long St.

Ms. Waterman-Kulpa – Opined that the traffic & safety study was riddled with errors. She asked Mr. Grieco if the Village Board had priced out a roadway.

Mr. Grieco – Would have to recuse himself of any dispute between the Planning Board and the Village Board. Village Board and Planning Board would each have to have separate counsel. The Mayor said what the Mayor said. Mr. Grieco stated he would not opine if there is going to be a dispute between the two boards.

Ms. Waterman-Kulpa – At the March 2018 Planning Board meeting when the site plan was approved, Mayor DeLano said he would work on a connection at that meeting. Trustee Rogers stated that the Mayor did not speak for her.

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Ms. Waterman-Kulpa - Has foiled the minutes of several of the pertinent Village Board meetings. Questioned whether Natale has ever been given the opportunity to provide a road. Does not think anyone has done any work on a road. Where is Village Board with the issue of building a road connection to S. Long St.?

Mr. Grieco – In his opinion, Memory Trail is a park – DPW side yard was never used as a park (now owned by Natale.)

Ms. Waterman-Kulpa – Questioned the recent Parks Survey and the issue with the road.
Mr. Grieco – Village Board estimated \$50,000 to build a road, but he did not know what the road would look like and what that cost would include.

Ms. Waterman-Kulpa – On May 28 Trustee Rogers said the Village Board would not move forward with a driveway. The Village Board did not wait for the results of the Parks survey to come in to state that they would not be planning a road.

There was general discussion regarding the colored drawing by Trustee Etu that was included in the survey. It was not what Planning Board approved.

Ms. Waterman-Kulpa - This project has no connection to S. Long St. or to the Community Plan. It is supposed to be for the S. Long neighborhood. Planning Board wants to address the Village Board regarding this. Planning Board has no rep from the Fire Dept.

Mr. Masters – He has the dimensions of the FD equipment.

Ms. Waterman-Kulpa – Why are 2 exits required? Wants the Fire Inspector/Fire Dept. rep to speak to the Planning Board about this. Would like comments from the Fire Inspector on the situation as to what trucks are needed to fight a 3 ½ story fire.

Mr. Masters - Will speak to Fire Inspector Schueckler. Have to plan for the worst case fire scenario.

Ms. Waterman-Kulpa – Planning Board has not been updated on whether they are going to put in a road.

Mr. Trigilio – He voted for the plan that was presented without a road. However, he would like to see a road. Planning Board decision was predicated on the land swap. The land swap has now happened.

Ms. Waterman-Kulpa proffered a motion to ask the Village Board to retain counsel on behalf of the Planning Board. Before a second on the motion could be made, Ms. Waterman-Kulpa asked the Planning Board if they wanted to give the Village Board the opportunity to comment before possibly seeking outside counsel. Ms. Waterman-Kulpa decided to rescind her motion.

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Ms. Waterman-Kulpa - Questioned the validity of the Parks Survey. Her neighborhood did not receive the postcard and there were a couple of residents who commented they did not have a Google account to access it online so they didn't take the survey.

ON MOTION by Ms. Grenauer, seconded by Mr. Pacer, it was moved that the Planning Board requests a response in writing from the Village Board updating the Planning Board on the status of the driveway connection onto S. Long St. from the Natale property and its efforts at working with Natale towards that end.

Motion carried. 5 – 0. (Ms. Holden said she was abstaining due to a conflict of interest.)

There was a brief discussion on the number of commercial signs that have been erected without Planning Board approval.

ON MOTION by Ms. Waterman-Kulpa, seconded by Ms. Holden, it was moved to adjourn the meeting at 9:10 p.m.

Motion carried. 6 – 0.

Deborah A. Habes, Clerk-P/T

The next scheduled Planning Board meeting will be held on Monday, August 5, 2019 at 7:30 p.m. Work session starts at 7:00 p.m. unless otherwise notified.