

**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, October 7, 2019, at 7:30 p.m.**

Present: Wes Stone, Chairman  
Walter Pacer, Member  
Catherine Waterman-Kulpa, Member  
Kevin Lester, Member  
Charles Rizzone, Member  
Ron Trigilio, Member  
Amy Alexander, Alternate Member

Also Present: Deborah A. Habes, P/T Clerk  
Charles Grieco, Village Attorney  
Tim Masters, Code Enforcement Officer

Excused: Elizabeth Holden, Member  
Ellie Grenauer, Alternate Member  
Matthew Etu, Village Board Trustee Liaison to Planning Board

Chairman Stone opened the meeting at 7:30 p.m. by leading the Pledge of Allegiance.

**ON MOTION** by Mr. Lester, seconded by Ms. Waterman-Kulpa, it was moved to approve the meeting minutes of the August 5, 2019 Planning Board meeting, as submitted.

Motion carried. 5 – 0. (Mr. Trigilio and Mr. Rizzone abstained)

Mr. Stone announced that due to the length of the application for Blocher Home, the Planning Board would go out of agenda order and consider the Talbots sign application first.

**Log # 2019-PB-8**  
***Wall Sign Review***

**Talbots, 5501 Main St.**

This is an application for a new wall sign for the Talbots tenant space.

A representative from Flexlume Signs was present. Property Manager Bob Bauer was also present.

This is for a sign to be centered on the fascia of the Talbots tenant space. The internally illuminated channel lettering portion will read TALBOTS and the 22.5 inch high letters will be black with LED illumination. MISSES PETITES WOMAN will be centered below the word TALBOTS. These non-illuminated 9.66 inch high letters will be black and stud mounted to the EIFS. The overall square footage of the signage measures 49 sf. The sign represents the national retailer's updated signage plan.

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**ON MOTION** by Mr. Lester, seconded by Ms. Alexander, it was moved to approve the sign as submitted.

*On the question:*

Ms. Waterman-Kulpa questioned whether internally illuminated signs were allowed by the new sign code. There followed a discussion regarding this matter. After researching the sign code, Village Attorney Grieco ultimately opined that channel set (or reverse channel) internally illuminated signage was allowed in this district.

Roll call:	Rizzone	Yes
	Trigilio	No
	Lester	Yes
	Stone	Yes
	Pacer	Yes
	Alexander	Yes
	Waterman-Kulpa	No

Motion carried. 5 – 0.

The Planning Board members recommended that the Village Board consider examining the issue of internally illuminated signage in the new sign code as it appears to need clarification.

**Log # 2019-PB-6a: Blocher Homes, 135 Evans St. (NMU)**

Sean Hopkins, attorney for the applicants, and Matthew Long, project architect, spoke on behalf of the applicants.

***Site Plan Review***

Mr. Hopkins gave a brief recent history of the proposed project. On August 5, 2019 the applicants appeared before the Planning Board for discussion of the project and decided to table it for further discussion until their regular September meeting. However, Planning Board did not meet in September. On August 7, 2019, the Zoning Board of Appeals held a public hearing and heard comments from many neighbors. ZBA concurred at that time that the Planning Board should act as lead agency in this matter. The applicants met with the project's neighbors on 9/19/19 and have come up with an entirely new design for the project. They have eliminated the previously proposed driveway onto Village Pointe Lane, and have created three separate new buildings fronting Evans Street instead of one massive building. Each of the new buildings is compliant by not exceeding the maximum 10,000 square foot coverage as per code.

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The architectural design now includes varied exterior materials and finishes and varied roof lines. They have increased the number of apartments from the previously proposed 87 units to 97 units for economic reasons. In order to make the new accommodations, they have had to increase their budget by ten million dollars. There will be a total of 107 parking spaces. They will have to seek a variance from the ZBA for parking since the new total of spaces falls short of the required 146 parking spaces per code. The parking lot at the rear of the existing building was eliminated and has been re-located to the north and south of the existing structure. The south lot will be located directly behind the new south building and the north lot will be directly behind the new north building. The south driveway has been moved in and further away from the house to the south. There is an overall increase in green space.

There was discussion regarding how many of the units would be available to the disabled and seniors. Jocelyn Bos, VP of Housing Development for People Inc., stated that 17% of the units would be reserved for the disabled and based on their market study it appears that there would be about 32% occupied by seniors who would be applying. Rents will be income-based. Their market study also shows that the Village of Williamsville needs more affordable housing. They will be providing all independent living, but, if a resident needed a live-in aide, that would be possible under the government funding guidelines. There will be one site manager and one maintenance worker on the property.

There was discussion regarding the location of the parking lots and whether the lack of a connecting driveway between them would cause any problems for vehicular circulation. There was concern regarding the issue of exiting traffic being funneled through Belmont St. and the difficulty of making a left-hand turn coming out of the site onto Evans St., an already overloaded north/south arterial. Planning Board wants them to study these traffic issues further in a new traffic study. Belmont/Evans is already a cut-thru.

Ms. Waterman-Kulpa suggested that based upon a recent visit she made to Village Pointe Lane, she now believes that the previously proposed driveway onto Village Pointe Lane would not likely funnel traffic thru the Village Pointe Lane neighborhood, as the driveway would be far enough north of the neighborhood's homes to completely skirt the issue of more vehicles pouring into the neighborhood. Village Pointe Lane is a dead end street to the south, so there is no reason for through-traffic be directed south into that neighborhood. Project traffic could exit onto Village Pointe Lane, make a left and continue onto Essjay Rd. She is concerned about the impact of vehicles exiting onto Evans St. and how that would directly affect residents who live on Evans St.

Mr. Hopkins stated the applicants are confident that their traffic study has satisfied the traffic question based on the load created by 97 units, since the residents will be largely one-car owners, if that. Eighty of the 97 total units will be one-bedroom units. The Village is a walkable community. Amenities are close by. Also, it is located at a bus stop. They will do a routing study and supply it to the Traffic and Safety Committee.

Lighting will be dark sky compliant, with no spillage onto neighboring properties.

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Two Dumpsters will be located at the northeast corner of the property.

There was discussion regarding the playground. It is required by HCR to be fenced. HCR is a NYS agency that is providing funding.

Walkways will be ADA compliant with brushed concrete. Ms. Waterman-Kulpa suggested more buffering on the north side. Mr. Long indicated the center building could be set back 4' more if the Board wanted.

It was suggested that more benches be added to the property.

**ON MOTION** by Ms. Waterman-Kulpa, seconded by Mr. Pacer, it was moved to name the Planning Board as Lead Agency for the proposed Blocher project at 135 Evans Street.

Motion carried. 7 – 0.

\*Mr. Grieco noted that at the previous Planning Board meeting of August 7, 2019, the Planning Board declared their *intent* to be lead agency for all SEQR purposes for this project. Plans, at that time, were sent to all required agencies and no comments were received.

***Architectural Review***

Mr. Long stated that the mass of the previously proposed single building has now been broken up into 3 separate buildings. They are more residential looking and better blend in with the surrounding residential neighborhoods. Different materials have been used but it still presents a cohesive look. Trim and other details will be Hardie Board; different color brick and stone will be used. The units facing Evans Street will have their own entrance doors, patios and stoops. Balconies will be usable (7'x10') Railings will be aluminum. It was suggested that they use AZEK wherever they can. Brick will be real brick and standard brick colors. Unit doorways will have porch lights to further give the residential feel. Windows will be aluminum clad wood and fully operable.

Planning Board requested submittal of samples of all exterior materials (shingles, bricks, cement board, trim, AZEK trim, lights, etc.) and a sightline study.

There was discussion regarding the dormers. The Board suggested a change from double to single dormers.

Mr. Rizzone asked if the tenants would have any say in what happens on the property, such as a HOA. Ms. Bos answered that tenants would have a signed lease. There will be no HOA.

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There was discussion regarding the Planning Board and the topic of public hearings. Mr. Lester thought it might be a good idea for the Planning Board to hold a public hearing to hear comments from the public. Mr. Grieco noted that there is no requirement in the code for the Planning Board to hold public hearings. Zoning Board - yes. Planning Board - no. A public hearing is a special portion of a public meeting that must be noticed in the newspaper of record within a specific time frame. Planning Board may decide to hold a public hearing if they so choose, but they are not required to by code. A public hearing is different from public comment at a regular meeting. The Planning Board can decide to take comments from the public at the discretion of the chairman at any regular meeting, with no requirement to advertise it in the newspaper of record. He also noted that the applicants have submitted a new EAF since the last Planning Board meeting. The Village will send the new plans to all concerned agencies as well as the Village's engineers, for review and comment. ZBA has to wait for the Planning Board to make the SEQR determination first.

Ms. Alexander suggested she would rather see Planning Board wait to see if the ZBA grants the applicants a variance for parking before the Planning Board makes a determination on the possibility of holding a *public hearing vs public comment* regarding this project.

Ms. Waterman-Kulpa suggested that she sees the project moving in the right direction. The applicants have increased their budget by ten million dollars; are offering quality materials and finishes; their corner boards and trim are above and beyond the standards; they are listening to the Planning Board's input. Mr. Trigilio agreed with Ms. Waterman-Kulpa.

Mr. Stone encouraged the public to continue to submit written comments to the Building Dept. who will forward all to the Planning Board.

Mr. Grieco stated that the Village will re-submit the new plans to Erie County, who has 30 days to comment. The Village Traffic & Safety Committee and the Village Environmental Committee will first have to review the plans also, as they are recommending committees to the Planning Board. Zoning Board of Appeals will have their public hearing regarding the parking but will have to wait for Planning Board to make the SEQR determination which *could* be made at their November 4<sup>th</sup> meeting.

Mr. Pacer asked about the possibility of the Village hiring a firm to do an independent Traffic Study. Points to be addressed would be to take a look at the Belmont/Evans issue; directional signage of "no left turn" at Evans Street exits; and a Village Pointe Lane exit. There was discussion whether or not it would be possible to have 2 lanes in the north driveway. Mr. Grieco indicated that would be possible but up to the Village Board to approve the hiring. Mr. Hopkins indicated that these points will be sent to their own traffic study engineers in the morning.

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**ON MOTION** by Mr. Rizzone, seconded by Ms. Waterman-Kulpa, it was moved to **TABLE** further discussion of this project until the regular Planning Board meeting of November 4, 2019.

Unanimously carried.

***In other business:***

Ms. Waterman-Kulpa repeated her request of August 4<sup>th</sup> asking for the updated Village Board response regarding Asher Crossing.

The meeting was adjourned at 10:00 p.m.

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Deborah A. Habes, Clerk-P/T

**The next scheduled Planning Board meeting will be held on November 4, 2019 at 7:30 p.m. Work session starts at 7:00 p.m. unless otherwise notified.**