

Minutes of the virtually held Village of Williamsville Planning Board meeting of August 3, 2020 at 7:30 p.m.

\*This meeting was held via Zoom due to the NYS on Pause Executive Order by Governor Cuomo.

Present: Wesley Stone, Chairman  
Charles Rizzone, Member  
Kevin Lester, Member  
Walter Pacer, Member  
Ms. Waterman-Kulpa, Member  
Amy Alexander, Alternate Member

Also present: Deborah A. Habes, P/T Clerk  
Charles Grieco, Village Attorney  
Tim Masters, CEO  
Basil Piazza, Trustee

Excused: Elizabeth Holden, Member  
Ellie Grenauer, Alternate Member  
Matthew Etu, Trustee

Chairman Stone opened the meeting at 7:30 p.m.

**ON MOTION** by Mr. Lester, seconded by Ms. Alexander, it was moved to approve the minutes of the May 18, 2020 Planning Board meeting, as submitted.

Motion carried. 6 – 0.

Mr. Stone announced that since the Blocher Project is the only item on the agenda and it is such a significant project which has been the subject of numerous review meetings for at least a year, and since there was not a full seven regular member board present at this meeting, the Planning Board decided to not vote on any resolutions at this meeting. Mr. Stone also announced that since the Board members had only received pertinent documents today from Elizabeth Homes, an attorney who is representing a group of individuals opposed to the project, and since the members had not had enough time to review these documents, they will wait until at least the next scheduled Planning Board meeting to be held on September 8, 2020 to consider any votes.

Site plan, landscaping plans, architectural plans and headlight study submitted by the applicants and reviewed at this meeting were dated 7/27/20.

**Log #2019-PB-6a & 6b**

**Blocher Home,  
135 Evans Street (NMU)**

Applicants' attorney Sean Hopkins, and project architect Matt Long were present, along with several other individuals from Blocher Home and People Inc.

Minutes of the virtually held Village of Williamsville Planning Board meeting of August 3, 2020 at 7:30 p.m.

Mr. Hopkins gave a brief review of the history of this redevelopment proposal. He then proceeded to present updated plans with modifications as per the Planning Board meeting of May 18, 2020. Mr. Hopkins stated his clients wish to wait until the Planning Board has a full seven members in attendance to make a decision, therefore he and his clients do not expect any vote at this meeting tonight. He went on to present a PowerPoint description of the overall proposal and updated plans.

Landscaping plans have been updated, subsequent to the granting of a parking variance from the Zoning Board of Appeals in July 2020, resulting in the removal of 10 parking spaces and the infill of extensive landscaping. Updated plans include consistency of front yard setbacks of the proposed three new buildings with the front yard setbacks of the residences across the street from the proposed project. He reviewed the compliance of the proposed project with the Community Plan as adopted in 2015.

Presented a Headlight Study dated 7/27/20 which Mr. Hopkins stated showed that their driveway lines up with the driveway across the street. He welcomed input in the headlight model. Height is actual. Would consider landscaping of the front yard at 98 Evans St. if that was the desire of the Board. The south driveway has been relocated further north to increase greenspace.

The north building has an updated elevation with the middle portion of the building at a 36' height and the north portion of the building at a two-story height of 26' and the southern portion at a height of 28.66'. From the rear of the north building, it will appear to be of two-story height due to the grade of the land.

Mr. Hopkins expressed his disagreement with elements of the Ms. Holmes' letter dated 8/3/20. It is not entirely a three-story building proposal. He stated that the proposed plans comply with the design standards of the Community Plan and all should keep that in mind. He referred to site plan criteria of the Zoning Code point by point and suggested its compliance and status thereof. Snow storage has been addressed and is adequate as they offer 10% of the surface area for snow storage.

Referring to waivers, Mr. Hopkins stated they are seeking two waivers from the Planning Board. One is for side yard setback of the south building. It is 10' greater than permitted to provide additional greenspace for the adjacent homeowner. The second waiver request is for front yard setback of the north building. It is proposed to be five feet greater than permitted. He added that these two issues are the result of Planning Board recommendations at the 5/18/20 meeting.

Planning Board comments:

Mr. Lester had concerns about the issue of the project fitting in with the fabric of the Village. Mr. Hopkins stated he believes they are in compliance with the mixed-use area that it is zoned.

Ms. Alexander asked the height of the middle building. Mr. Long replied that the highest points on are both ends at 29.6' and the middle portion drops down to a flat roof. The grade changes so much and it is a gradually undulating change. There followed a discussion regarding building heights. Ms. Alexander liked the diverse building heights of two and three stories.

Minutes of the virtually held Village of Williamsville Planning Board meeting of August 3, 2020 at 7:30 p.m.

Mr. Stone stated he does not like the look of the three-story portion of the middle building. Mr. Lester agreed. Does not think it is in keeping with the look of the street. Mr. Hopkins replied it is in compliance with the design standards. The discussion continued regarding the height of houses across the street. Ms. Alexander suggested the Planning Board members should take a walk down Evans in that area and see for themselves the heights of the existing residences across the street. Mr. Long offered to accompany them and answer any questions if they did so. Mr. Long explained the architectural need for the three-story portion to accommodate the elevator tower since this project is designed for people of all abilities. Therefore, elevators are required. Ms. Waterman-Kulpa suggested that Mr. Long look at the baseline of the three-story section of the middle building. It was agreed to go through Mr. Masters to set up an afternoon tour sometime before the September meeting of the Evans St. area to get the lay of the land as to building heights in relation to the proposed project's heights. Mr. Masters will connect with Mr. Long and the Planning Board members. Mr. Grieco noted that since the whole Planning Board could technically be in attendance on this "walk", it could constitute a meeting and therefore announcement of such a meeting must be noticed.

Village Point Lane exit? Ms. Waterman-Kulpa asked if the Town of Amherst had been formally asked to approve an exit out onto Village Pointe Lane. Mr. Stone requested that the applicant write a letter to the Town of Amherst for a curb cut onto Village Pointe Lane. Mr. Hopkins mentioned the previous denial of a curb cut from the Town Highway superintendent but stated he would make an application to the Town for that, though he stated he does not believe the Town has an "application" per se. Mr. Stone re-iterated his request. Mr. Hopkins agreed. Ms. Alexander stated that any traffic exiting onto Village Pointe Lane would naturally make a left turn since VPL is a dead-end street anyway. An exit onto VPL would not impact VPL residents. Mr. Hopkins stated he would ask for a left-hand only sign. There followed a discussion of the Town of Amherst curb cut requirements. Ms. Waterman-Kulpa requested a headlight study be added to the curb cut application as well. Mr. Hopkins offered to share his application to the Town with Mr. Grieco and Mr. Masters before he submits it to the Town.

With regard to the headlight study on Evans and in particular to 98 Evans, Ms. Waterman-Kulpa believes the study is skewed and that 98 Evans will be affected by the headlights of cars exiting from the development onto Evans St.

With regard to the walking tour on Evans Street, Mr. Stone requested a balloon on a string to equal the height of the tallest portion of the buildings be prepared and floated to visually demonstrate to the board members the actual proposed height so they can see it in relation to the residences across the street.

Mr. Stone invited attorney Elizabeth Holmes to take five minutes to address the board regarding her clients' legal action. Her points included emphasis on the SEQR aspect and asking the Planning Board to re-visit the unlisted action due to its potential impact on the locally designated historic property at 75 Evans St. Requested a massing study be completed by the applicants. Drainage problems that will arise due to the development. Mr. Grieco advised the Planning Board not to engage with the attorney since this matter is now in litigation. Mr. Stone thanked Ms. Holmes for her time.

Minutes of the virtually held Village of Williamsville Planning Board meeting of August 3, 2020 at 7:30 p.m.

Mr. Grieco reminded the board that they must give sufficient notice to publicize this walking tour to the public.

Mr. Stone asked Mr. Hopkins if Blocher Home knows when it will close. Ms. Waterman-Kulpa asked if Blocher Home had received their State Closing Form yet. Mr. Hopkins will find out.

There was discussion regarding the recent sale of Drexel Hill Apartments which is to the north of the proposed redevelopment project. Mr. Grieco advised if they do any exterior work there, it would have to comply to today's NMU standards. Ms. Waterman-Kulpa wondered if the Village Board knew this. Should there be public input? Mr. Grieco stated that the Planning Board could make a recommendation to the Village that they re-access the Community Plan. If that occurred, the Village Board would have to hire a consultant and make budget plans for that.

Other business:

Ms. Waterman-Kulpa brought the following items to the attention of CEO Masters:

- Removal of Sweet Jenny's old pole sign at Main and N. Ellicott
- House by Numbers building has signage covering all the glass windows
- Talbot's paving
- New siding on the covered driveway building

Mr. Rizzone inquired about the sewer review by the village engineer in response to correspondence from a concerned individual.

**ON MOTION** by Mr. Lester, seconded by Ms. Waterman-Kulpa, it was moved to adjourn the meeting at 9:35 p.m.

Motion carried. 6 – 0.

Submitted by

Deborah A, Habes, P/T Clerk

Next regularly scheduled Planning Board meeting will be held on

**Tuesday\* (due to Labor Day holiday falling on the first Monday of the month), September 8, 2020 at 7:30 p.m.**

**\*Work Session starts at 7:00 p.m.**

In the event of any special meetings of the Planning Board, public notice will be made. Always check the village web site at [www.walkablewilliamsville.com](http://www.walkablewilliamsville.com) and the official Facebook page or call the Building Dept. at 632-7747.