

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, May 12, 1980 at 7:30 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Paul Atkinson

William Bancroft

Trustees

Lawrence R. Brenton

Connie C. Murray

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Edward Way, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:30 PM.

ON MOTION by Trustee Brenton, seconded by Trustee Atkinson, the minutes of the regular meeting held April 28, 1980 were approved.

Unanimously carried.

ON MOTION by Trustee Bancroft, seconded by Trustee Atkinson, the minutes of the public hearing held April 28, 1980 regarding sewer rates for 1980-1981 were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Atkinson, the minutes of the public hearing held April 28, 1980 regarding a local law to abolish Section 22.00 of the Village Code were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the minutes of the special meeting held April 30, 1980 for adoption of sewer rates were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Atkinson, it was moved to suspend the rules at 7:33 PM in order to hold a public hearing regarding a proposed rezoning of property at 44, 50 and 54 S. Cayuga Road. (The hearing was adjourned at 8:30 PM.)

Unanimously carried.

Mayor Kuzon advised that Niagara Mohawk is requesting a rate increase. A public hearing will be held on Wednesday, June 25th in the City Council Chambers in Buffalo. They are requesting a rate increase in general electric revenues of 14%. Of particular interest to us is their request for an increase for street lighting of approximately 13%. Whether they receive the increase they are requesting or one approved by the PSC, we will have to take this into consideration at budget time next year when we are budgeting money for street lighting. Anyone interested is welcome to attend.

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Mayor Kuzon reported that a few weeks back we adopted a resolution regarding the possibility of increasing the reimbursement we receive from the State for court functions. We have received a letter from Assemblyman Sheffer supporting this resolution and he has reported that a bill has come out of committee about this and will be considered by the Assembly this spring.

Mayor Kuzon advised his first two resolutions speak to operation and maintenance costs for wastewater facilities. A meeting was held in Town Hall on April 19th and was attended by local officials from Erie and Niagara Counties. It was the consensus that the present reimbursement for operation and maintenance costs from the State and Federal governments was inadequate. This is a matter of grave concern to local officials and should be addressed by the state and federal governments.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, the following resolution was adopted:

BE IT RESOLVED, that the Board of Trustees of the Village of Williamsville at its regular meeting held on May 12, 1980, does join with other municipalities in Western New York in seeking to increase operational and maintenance reimbursement by the State of New York to New York State municipalities to fifty (50) per cent for the operation and maintenance of wastewater treatment facilities.

WASTEWATER
TREATMENT
FACILITY

Ask State to
increase
reimbursement

We, the Board of Trustees, hereby direct the Village Clerk to transmit copies of this Resolution to State Senator Walter Floss and Assemblyman John B. Sheffer, II.

Unanimously carried.

Mayor Kuzon stated Assemblyman Sheffer has a bill in committee to increase the reimbursement to 50%.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the following resolution was adopted:

BE IT RESOLVED, that the Board of Trustees of the Village of Williamsville, at its regular meeting held on May 12, 1980, does join with other municipalities in Western New York to seek federal payments of the added operation and maintenance costs of wastewater treatment facilities caused by agreements contained in International Joint Treaties or Agreements between Canada and the United States of America. Specific reference is made to a meeting held in

WASTEWATER TREATMENT
FACILITY

Ask federal govt.
for aid

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Washington on May 1, 1980 with Douglas Costle, National Administrator of the Environmental Protection Agency.

We, the Board of Trustees, do hereby direct the Village Clerk to transmit copies of this Resolution to Congressmen Kemp, Nowak and LaFalce, and Senators Moynihan and Javits.

Unanimously carried.

Mayor Kuzon reported that the Erie County Water Authority has recently increased the rates at which it sells water to the Village. We are scheduling a public hearing regarding increasing our water rates. Village Boards in recent years have passed on the increases as they were received from the Authority. Some previous Boards tried to absorb the increases with the result that rates had to be increased some 45% at one time. It is sound fiscal planning not to allow our water department to go any further into debt.

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, the following resolution was adopted:

RESOLVED that the Village Clerk publish a notice of public hearing to be held May 27, 1980 at 7:35 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in a local law which would increase water rates by amending Section 65.40 of the Water Code.

PUBLISH NOTICE OF
PUBLIC HEARING

Local law to increase
water rates

Unanimously carried.

Mayor Kuzon advised that the rate increase would be \$.04 per 1,000 gallons. We asked for a detailed cost analysis of the increase to be sure we are not paying for any duplication of services. We have received a response from the Authority and this will be discussed at the public hearing.

Mayor Kuzon reported that the reconstruction of Main Street is underway. The project engineer has reported that the Main Street railroad bridge will be removed between 9:00 AM and Noon on Thursday and it is the responsibility of the contractor to maintain the traffic flow.

Mayor Kuzon advised that our meetings are usually held the 2nd and 4th Mondays of the month. Since the 4th Monday this month is Memorial Day holiday the meeting will be held on Tuesday, May 27th at 7:30 PM.

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, vouchers in the sum of \$29,804.20 were approved as follows:

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Payroll Fund	W/E 5/2/80	\$ 3,739.84
	W/E 5/9/80	<u>3,804.26</u>
Total Payroll		\$ 7,544.10
General Fund	Abstract #464	21,819.33
Sewer & Water Fund	Abstract #45	234.09
Trust & Agency Fund	Abstract #84	<u>206.68</u>
Total Vouchers		\$29,804.20

There were large vouchers for: Amherst Disposal - \$7,169.09; Niagara Mohawk - \$3,755.78; and Scurci-Melancon (pool construction) - \$2,999.00.

Unanimously carried.

Trustee Bancroft stated his resolution dealt with filling a vacancy on the Senior Citizens Committee.

ON MOTION by Trustee Bancroft, seconded by Trustee Brenton, the following resolution was adopted:

RESOLVED that Edith Burgard is hereby	APPOINTMENT
appointed to the Senior Citizens	
Committee until the end of the 1982-	Senior Citizens Committee
1983 official Village year.	

Unanimously carried.

Trustee Brenton advised that he and Mr. Way have determined, with the consent of the Board, that our paving program will be limited this year to only those streets that really require paving due to the high cost of bonding. We usually have a five year bond and at present this is expensive. Therefore, we will limit paving only to those streets that require it.

Trustee Brenton stated we have recently completed wage negotiations with the Department of Public Works. He and Trustee Atkinson were assigned to handle the negotiations. We met for a considerable length of time with the union representing these employees. The reason for delegating this task to two Trustees was to try and save the Village some money. In the past we have hired an outsider to do the negotiations. The contract is for three years.

ON MOTION by Trustee Brenton, seconded by Trustee Atkinson, the following resolution was adopted:

RESOLVED that the Village of Williamsville	AUTHORIZATION
hereby accepts the collective bargaining	
agreement as negotiated between the	Mayor to sign collective
American Federation of State, County and	bargaining agreement
Municipal Employees AFL-CIO, New York	with union

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State Council #66, and its affiliate, Local #1783 C and the Village for the years beginning June 1, 1980 and ending May 31, 1983 and further that the Mayor is hereby authorized on behalf of the Board of Trustees to enter into such agreement.

Vote on Roll Call: Trustee Murray - aye; Trustee Bancroft - aye; Trustee Brenton - aye; Trustee Atkinson - aye; Mayor Kuzon - aye.

Ayes - 5; Noes - 0.

Unanimously carried.

Trustee Brenton complimented Jessie Ryan, Bob Andrews and Don Dehn representing the employees for giving us their consideration and latitude in reaching this agreement. There were certain items their people insisted on having and they made concessions on them and both sides are happy with the agreement. The wage negotiations were very fair and equitable.

Mayor Kuzon complimented Trustees Atkinson and Brenton for their work in the contract negotiations. This was previously done by a professional and would cost us a couple of thousand dollars. They saved us this money and we have an equitable agreement.

Trustee Murray reported that she and the Village Clerk attended a Local Government Seminar from May 4th to May 6th on how to improve the relationship between local and state governments. It was sponsored by Assemblyman Sheffer of our district and Assemblyman Richard Kennedy of the 147th District. We were impressed with the seminar and with the assemblymen's determination not to forget their roots. Both are former local government officials and they want the state to know that local government is good and responsive to its residents. Many speakers were surprised at the number of local representatives who came to the seminar. It was a very educational experience and she is grateful to the Village for the opportunity to go there. She hopes it will enable her to better serve the Village.

Trustee Murray commented on an article that appeared yesterday in the Courier Express regarding rules in Glen Park. The problem with the article is that the author did not realize what type of park Glen Park is. He stated you had to walk through the park quietly and at a moderate pace with eyes straight ahead and arms at your side. This was developed as a passive park where you can walk. The plantings are indigenous to this area and we have the type of grass that grows and falls over so don't have to mow it. It does not need to be manicured. This is for preservation of open space. Those who started working on it 10 years ago wanted it to be that way and this is the way it was developed. It is a natural, walking park. She stated she hopes that in the future Mr. Schroeder will look into the history of the park before he writes such an article.

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Trustee Murray reported that with respect to Glen Park we had a meeting with Don Ward and the Four Winds Nursery regarding what should be done with the money that was left over before May 31st. They advised that fertilization is the most important thing. The first three years are the most critical. Fertilization was done last year and should be done this year and next year. She thanked Mr. Way and Donald Schueckler of the Town Highway Department for loaning her two men for three days to do the fertilization of the trees in greatest need. There was an additional inspection to determine what needed to be replaced. This has not been completed yet but will be within the next two weeks.

Trustee Murray thanked the Department of Public Works for preparing the beds for planting by the Beautification Committee. She also congratulated the Department of Public Works on the removal of the Willow tree that fell across the creek.

Trustee Murray advised she had met with the Erie County Health Department this afternoon in Garrison and Island Parks. We have been working on upgrading the pools. They approved the filtration system at Garrison Park and the plans for the one at Island Park. They also approved our intention to have supervision at the pools. They are requiring that we fence both pools.

With respect to the Environmental Council, they are working on a natural resource index and are planning a poster contest for October of next year. We have been discussing a garbage ordinance and they will be helping me with this.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, the following resolution was adopted:

APPOINTMENT

RESOLVED that Nancy Davis is appointed pool cleaner/laborer - seasonal in the Department of Public Works at the rate of \$2.75 an hour effective May 26, 1980.

Nancy Davis as pool cleaner/laborer

Mayor Kuzon asked when the employment terminated. Trustee Murray advised that it terminates on Labor Day when the pools are drained.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the following resolution was adopted:

APPOINTMENT

RESOLVED that Paul Wilhelm is hereby appointed to the Environmental Advisory Council until the end of the 1980-1981 official Village year.

Env. Advisory Council

Unanimously carried.

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Trustee Atkinson spoke with respect to the enforcement committee which operates out of the Building Department. They will be holding a meeting on the 15th. Any matters of concern expressed by residents are referred to the committee at that time. If anyone has any matters of concern they should contact the Building Department prior to that meeting.

ON MOTION by Trustee Atkinson, seconded by Trustee Bancroft, the following resolution was adopted:

RESOLVED that J. Sidney Shrauger is	APPOINTMENT
hereby appointed to the Planning Board	Planning Board
until the end of the 1982-1983 official	
Village year.	

Unanimously carried.

Mr. Way had no report.

ON MOTION by Trustee Atkinson, seconded by Trustee Bancroft, it was moved to suspend the rules for public participation.

Unanimously carried.

Mr. Richard Hill, 18 Brookside Drive, asked when the lights will be put in on Brookside. Trustee Brenton stated we have not heard from Niagara Mohawk. They have received the order for this and they had advised they would do it when they were able to. He stated we will check into this.

Mr. Hill asked Trustee Murray if something could be done to improve the handicapped parking at Glen Park. They can not see the falls, just toward Mill Street. Trustee Murray stated the Joint Board will consider it.

Trustee Bancroft asked Jean Gaulin how the plans for Old Home Day are coming. Mr. Gaulin stated it is building up tremendously. He and Mr. Measer as Co-Chairmen are excited about what is happening. The Old Home Day Committee is putting in 220 wiring at Island Park and this will save the Village about \$2,000. Residents should reserve the last week in July for this celebration which will run on Tuesday, Wednesday, Thursday and Friday.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the meeting was adjourned at 8:55 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

Paul Atkinson
William Bancroft Trustees
Lawrence R. Brenton
Connie C. Murray

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 7:33 PM.

PUBLIC
HEARING

The Clerk read the notice of hearing regarding a proposed rezoning of the Thomas and Marylou Hogan property on the east side of South Cayuga Road as follows: 44 S. Cayuga from C-2 and R-3 to R-3M, and 50 and 54 S. Cayuga from R-3 to R-3M.

REZONING

Mayor Kuzon stated the purpose of tonight's hearing is three-fold. It is to provide for public presentation of the proposal, to provide for public comment and questions and to provide the Board with the opportunity to comment on and question the proposal. The matter of rezoning is a broad question. Tonight's questions should concern the character of the district, the suitability for the particular use, conservation of building values and appropriate use of the land. He then asked Mr. and Mrs. Hogan and their architect to present their proposal.

44 - 54
S. Cayuga

Mr. Hogan stated they are the present owners of three pieces of property. They acquired 50 S. Cayuga about a year and a half ago and it was in very poor condition both inside and outside. They proceeded to put in thousands of dollars to bring it up to the standards of other houses in the area. They acquired 44 and 54 S. Cayuga and proceeded again to put in thousands of dollars to fix them up. We decided we did not want to be landlords and consulted builders for their recommendations. They said these properties were old and fuel consuming and no matter how much money was put in they could not bring them up to neighboring standards. They recommended we take the three buildings down and build 14 townhouses. We think the property is strategically placed so would not cause too many inconveniences to the neighbors. It is close to municipal parking. There is parking with the homes but overflow could use the municipal lot. These homes will be brick construction, two storey with fireplaces and garages. The landscaping will be beautifully done. We intend to live here ourselves. We are not going to build them and then move away. We want to stay here. Some neighbors are plagued with the kids from the Youth Center and we think this development would help eliminate some of this problem. He stated they have taken a private survey of the traffic flow and even at peak hours it is not congested. Even the apartment building across the street does not seem to cause traffic problems. Those going to church on Sunday use the municipal lot for parking. We don't think

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this development would cause any kind of congestion. We have found that there seems to be less traffic up and down Cayuga and think this is due to the gas crunch. People are using car pools. We think there will be a big change in the pattern of driving with less cars on the road.

PUBLIC HEARING
(Con't)

Mrs. Hogan stated they felt that this project would bring in twelve new homeowners instead of having people in and out of apartments. The people would be staying here. Many people who have lived in the Village for many years feel there is a need for this type of housing because they can't keep up their homes because of their age and this would give them an opportunity to stay in the Village. She then asked her architect, Mr. Thomas Briatico, to present their plan.

Rezoning

Mr. Briatico stated they are concerned with building quality units which are architecturally consistent with the area, provide for parking and are energy efficient.

44-54 S. Cayuga

Mayor Kuzon asked if he had a rendering of what one of the townhouses would look like when finished. Mr. Briatico stated he had a very preliminary elevation of what is under consideration. It will be all brick. He stated they really haven't gone too far yet as they wanted to wait until they see if the rezoning will be approved. He passed around copies of the rendering and said they have a very simple line and are consistent with the type of things done in the Village in the past.

Mrs. Beverly Felzer, 236 S. Cayuga, asked what it is consistent with. Mr. Briatico stated they are like the townhouses being built on Mill Street. Mrs. Felzer asked if there would be a wall like they have at Mill Street and the architect stated there would be one at the front entrance to set the tone of the total development. They are semi-detached apartment units. The three existing structures will be taken down. They see this development as a buffer between the semi-commercial area on one side and the very residential area on the other side. Mrs. Hogan stated there is an office building next to their property and then the parking lot and then the funeral home.

Mrs. Felzer asked if the ones on Mill Street were rented or sold and if they were condominium type houses. Mrs. Hogan stated the ones on Mill Street are sold units and Mr. Briatico stated these units will be sold also and they are condominium-type housing. Mrs. Felzer asked what the price range will be for the units and Mr. Briatico stated they would sell for approximately \$135,000 per unit. The ones on Mill Street are about the same price.

Mayor Kuzon advised that the first property has a 40 foot frontage with 10 feet zoned C-2 and the remainder zoned R-3. The other two pieces of property would go from R-3 zoning classifications. Permitted in R-3 are duplexes, for lack of a better word. In R-3M multiple family is permitted and this is what this proposal would involve.

Trustee Atkinson stated the Hogans had appeared before the Planning Board on May 5th and at that time specific information was requested regarding drainage, elevations and parking. To date we do not have that information. He stated the drawings presented do not really contain sufficient information regarding these matters. Mr. Briatico stated a survey would have had to be done which would cost between \$3,000 and \$3,500. He stated if there were any problems with the topography one or two units could be deleted. As more information comes to the fore certain changes might have to be made to conform with what is required.

PUBLIC
HEARING
(Con't)

Trustee Atkinson stated a lot of this information should be provided initially rather than after the rezoning. This would be an example of spot zoning. We have a matter here where in order to make a decision, we need to have considerably more information relative to the entire project and what exactly is going to be done. This is a major project for the Hogans and for the Village and it seems to him that we have a lack of sophisticated information on it.

Rezoning

44-54 S. Cayuga

Trustee Brenton stated he knows there is a risk in going ahead and spending money on plans when the rezoning may not be granted. However, they would have to take that risk so we can obtain the necessary information in order to make our decision.

Trustee Bancroft asked approximately how long this project has been under consideration. Mrs. Hogan advised they have been considering this for about six months. Trustee Bancroft stated that procedures within a municipality get confusing at times and asked if they felt comfortable as to the role of the Planning Board and this Board and the fact that this property does require rezoning and the requirements that must be met for a decision to be made. The size of the proposed development brings it under our Exceptional Development ordinance and this means the final decision will be made by the Board of Trustees rather than the Planning Board. He asked if they felt they had had sufficient time to obtain the necessary information.

Mrs. Hogan stated they had enough time but unfortunately did not meet with the builder until about two months ago. They are very new to this. The Planning Board was most helpful in explaining what was needed but they tried not to put too much money in at first. We wanted to come in with a plan to get an idea as to whether it would be acceptable. They are not set on any particular plan as yet. They are flexible. They haven't given their architect too much to work with. We felt that after we went through the boards we could get down to what we wanted.

Trustee Bancroft stated that relative to the Planning Board and the Exceptional Development ordinance, we have to see far more substantial and comprehensive planning than seems to be available to date. It is hard to comment on the plans presented. We have many questions regarding the type of brick to be used, the type

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of windows, whether it is architecturally compatible with the Village and the historical significance of the present structures. We also need drainage and elevations.

Mr. Briatico asked how far they wanted him to take this. This is a very preliminary concept. As information becomes available it can change. Their primary concern is quality. The brick will be red. He stated the parking will depend on what is found on the site and what will work. He stated they can bring up the level of sophistication and asked what they needed.

PUBLIC
HEARING
(Con't)

Mrs. Hogan stated that at the last Planning Board meeting certain things were asked for and these were obtained -- parking, elevations, height and outside rendering. They did not realize they needed more.

Rezoning

Mayor Kuzon asked if the architect had a copy of the Village Code. Mr. Briatico stated he did not have a copy and Mayor Kuzon advised him to obtain a copy from the Building Department. Under Zoning there is a section relating to site plans and what is required. This should be used as a starting point. They should get architectural renderings and elevations so we can see what the structures would be like. When someone petitions for a rezoning we like to have as much information as possible. If the zoning is changed, from that point on it is zoned for multiple homes whoever owns the property. We need more information to make an informed and intelligent decision.

Trustee Atkinson stated the Planning Board normally meets on the first Monday of each month. We are required to act within sixty days of the public hearing. It is to their advantage and ours to get this process underway. He understood that the kind of information required was provided by the Building Department Administrator. You need the items required just as if no rezoning was involved, and this was just a normal project. We are not talking about a rezoning for right now, but something that could happen in the future if it is granted.

44-54
S. Cayuga

Trustee Atkinson asked if the plans were signed and sealed by a licensed architect. Mr. Briatico stated this would be taken care of when this project becomes a reality.

Trustee Atkinson stated he understood their predicament but we are talking about a lot of people who are concerned about what is being done. We can't proceed with as little information as we have. A concept can be changed just as people change. We need something more concrete.

Mr. Briatico stated he wasn't aware of exactly what was required. He will try to put a package together so this can be taken care of.

Mayor Kuzon advised him to contact the Building Department Administrator who can assist him in getting a copy of our code. The Planning Board is supposed to review the plans and make their recommendations before the public hearing. They were not able to

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make any recommendations. This should go back to the Planning Board for their recommendations. He stated he would not close the public hearing but adjourn it so that at a later date new plans can be submitted. If we do not act within sixty days a new public hearing and legal notice are required. If plans are presented to the Planning Board at their next meeting we can continue the hearing the following week and still act within the sixty days.

PUBLIC
HEARING
(Con't)

Rezoning

Mrs. Charles Craig, 63 S. Cayuga, asked if the homes would be sold and not rented. Mr. Briatico stated they would be sold. The price will be approximately \$135,000 per unit but this could change depending on how long it is before they are built and how much materials increase in price. Mrs. Craig asked what they meant by using the municipal lot for overflow parking. She stated she understood the lot was for short term parking. Mrs. Hogan stated there will be enough parking for the units to take care of the cars of the owners. By overflow, she meant that if someone had a party or large group to their home they could use the lot for that parking.

Mr. Troy asked how far they have progressed with arrangements for financing. Mrs. Hogan stated the builder will be handling most of that. The builder is Armond Ciminelli.

44-54 S. Cayuga

Arthur Ticknor, 170 S. Cayuga, asked how they decided on 14 units. Mr. Briatico stated he allowed a generous setback from the street, allowed for access and adequate parking and allowed for space between the houses and the creek in case of flooding or such and 14 go very well on the site. There is nothing sacred about that number however and we may not have that many.

Mr. Ticknor asked if a number of units consistent with the existing zoning wouldn't work as well. Mayor Kuzon stated that in R-3M they allow for 6,250 square feet per unit and in R-1 they allow for 10,000 square feet per unit. Mr. Briatico stated they have 48,000 square feet in total for the project.

Mr. Ticknor stated it was his understanding that they could take down what was there now and with no rezoning could put up three two-family units. Mrs. Hogan stated it would not pay to knock down the three present houses and put up only six units.

Mr. Ticknor stated he is concerned about the changing of the existing zoning pattern in the Village. He understands the point about a buffer between the commercial and residential zones, but he is concerned about any additional spot zoning change that would encroach upon the residential character of the Village and the street.

Mr. Briatico stated they are not putting up a high rise and a parking lot. You don't particularly change the character a great deal with limited access. He doesn't think this is a matter of non-compatibility with what is in this area.

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Mr. Ticknor stated change is a matter of degree but this matter is of concern to us and it should be of concern to the Village as a whole. They are very concerned with the safety and congestion on the street. He does not agree that the traffic patterns are different. The Village cannot adequately enforce its regulations now. This project will increase the traffic flow and congestion.

PUBLIC
HEARING
(Con't)

Mr. Ticknor stated this project will affect the view from Island Park. We should be proud of the park. The project will diminish this Village asset. It should be taken into consideration.

Rezoning

Mrs. Hogan stated the area back near Island Park is brushy and some overhangs. There would be new landscaping which would be an asset when looking from Island Park across to the development and it would enhance the area. Mr. Briatico stated that in terms of the site plan he did give a very generous setback from the creek.

44-54 S. Cayuga

Mrs. Felzer stated she has tried to look at the project as fairly and objectively as she could. She went to the park and tried to imagine what some two-storey attractive brick buildings would look like. She has to question it. We have to consider the appearance and extent of this project on Island Park. She asked if they would have to take down the high land on the site. Mr. Briatico said the high land is one of the nice qualities of the site. We would not try to build on top of this or move it. Mrs. Felzer stated she would like to know how far back from the creek the houses will be. Mr. Briatico stated it would 70 feet back from the drop off.

Gartley Weller, 129 Mill Street, asked when the next public hearing would be. Mayor Kuzon advised it would be on June 9th and that would give the Planning Board time to review it and make their recommendations.

Mr. Weller stated we are all concerned about encroachment in the Village. One of the houses currently on the property was the old Dr. Green homestead. The building is now an asset to the Village. He stated he did not feel the rendering presented tonight showed a building which would do anything for the character of the Village. He is concerned about the type of architecture. Mr. Weller read a letter from a 13 year old boy who is a member of the Historical Society. The boy wrote to Mr. Weller concerning the rezoning. The boy mentioned the historical value of the three homes. The one at 44 was built in 1849 by Oscar Black, the one at 50 by William Cole in 1845 and the one at 54 by William Burke in 1852. He feels they are something to be preserved in the Village. Mr. Weller stated the letter showed that both young and old are concerned about preserving the character of the Village and the types of buildings that are here.

Lucile Kinne, 245A Evans Street, stated she has been a resident of the Village for 22 years. She stated the Village should give serious consideration as to what direction they are going in. If they want to make a Williamsburg out of Williamsville then a McDonalds at the corner of Union and Main does not fit in.

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We have to decide what we want to keep and whether it is too expensive to keep it.

Mr. Briatico stated he has studied historical architecture and likes to preserve it when he can. This is one of the first things he tries to do. The three buildings involved have not been designated as being of historical significance. In terms of putting further funds to rehabilitating them and bringing them up to acceptable levels, the cost seems prohibitive.

PUBLIC
HEARING
(Con't)

Mrs. Hogan stated she is sure everyone is aware of the condition of the properties when they obtained them a year and a half ago, and their present condition. Nobody worried about their historical value when we bought them. They spent a lot of time and money improving the property.

Rezoning

Mrs. Felzer stated she does not understand why they put so much time and work into fixing up the buildings and then turn around and tear it down. Mrs. Hogan stated that in order to bring them up to standard they would all need new heating systems. It would cost \$9,000 for siding for one building alone. Altogether it would take another \$30,000 to \$50,000 to bring them up to standard and in ten years they would deteriorate anyway. They are all wood construction.

44-54 S. Cayuga

Mr. Lawrence Law, 144 S. Ellicott, stated that the current zoning provides for six dwellings and they are thinking of putting up 14 units. This is more than a slight change. He asked how many off street parking places there will be. Mrs. Hogan stated there will be two spaces per unit.

Mrs. John Sheffer, II, 80 S. Cayuga, stated she and her husband are concerned about setting a precedent on the street. We buy houses there with the intention of spending our lives there. We are worried about the consequences to come in the future. There is a problem with encroachment. We now have apartments at the opposite end of the street and across the street. Now we may have multiple dwellings on three lots. With this precedent set someone else in the future may decide that he can combine some lots on the street and put in multiple dwellings also. We would like to keep this a residential street and the majority of the people feel this way.

Mayor Kuzon presented the Clerk with a petition signed by 42 residents that opposes the rezoning of this property.

The Clerk read letters from Mr. and Mrs. L. J. Felzer, 236 S. Cayuga and John B. Sheffer, II, Assemblyman, 80 S. Cayuga Road. They are attached to these minutes and oppose the rezoning.

Mayor Kuzon stated it is our intention to adjourn this hearing and it will be continued on June 9, 1980 at 7:30 PM in this chamber. At that time, Mr. and Mrs. Hogan can present their plans which will have been reviewed by the Planning Board.

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, May 12, 1980 at 7:33 PM

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, the hearing was adjourned until June 9, 1980 at 7:30 PM in the Council Chambers, Municipal Building, 5583 Main Street, Williamsville, New York.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

May 11, 1980
80 South Cayuga Road
Williamsville, New York 14221

Hon. Gordon Kuzon, Mayor
Village of Williamsville
5583 Main Street
Williamsville, New York 14221

RE: Public Hearing - Application for Re-Zoning
44, 50 and 54 South Cayuga Road

Dear Gordon:

I would appreciate it if the following remarks could be read as a part of the May 12 Public Hearing in reference to the application for re-zoning of the above properties or, at least, entered into the record. I regret that I will be in Albany on Monday evening or I would be personally present at the Hearing.

As you know, my family and I reside at 80 South Cayuga Road, three lots south of the subject properties, and it is in this capacity, as a neighboring resident, that I submit these thoughts. Because of my current position, my prior position on the Village Board and my strong confidence in the present Board, I frankly hesitate to write, but I trust that my comments will be taken in the spirit in which they are given.

Although Milly and I have a personal preference in favor of the single-family homes on these properties, I recognize the Board has many additional factors to consider. I believe, however, that there are several important procedural concerns which are independent of personal feelings for or against this specific proposal. These concerns, in no particular order, are listed below:

1. I would strongly urge the Board not to re-zone these three properties unless and until a specific development plan is previously considered and at least informally approved. If these parcels are re-zoned in the abstract without at least an informal, prior consensus as to approval of an acceptable development, it would open the door to any development proposal which might meet the technicalities of the multi-family zoning classification but be a clear detriment to the neighborhood and village.
2. In that light, the second concern is whether the current development proposal is one which merits the requested re-zoning. From looking at the plans submitted, it occurs to me that it is impossible to answer that

question. Only a plot plan was submitted, as of May 8, which gives no indication of the character or quality of the proposed buildings. Even from the standpoint of meeting the minimum procedural requirements of the Zoning Law, it seems clear the present application is inadequate. In other words, to re-zone these properties at this point is to do so in anticipation of a development on which there are no real details.

3. It has been mentioned to me that the proposed project is one modeled after the Mill Race and Mill Race North developments on North Cayuga. I frankly believe that these are quality homes with appropriate attention given to both aesthetic and structural considerations. I also know, however, that construction of such buildings is virtually prohibitive in the current materials and interest market. The financing of this project is, admittedly, none of my business, but my concern is that an inexpensive imitation of Mill Race would be the worst of the alternatives.

4. Although there is certainly precedent in the Village for approving multi-family housing on vacant land that was re-zoned from the single-family classification, I believe there have been few multi-family developments which have replaced single-family houses. Particularly with respect to multiple, adjoining properties, because of the potential significance of such changes in a small area such as the Village, I would think it appropriate for the Board to promulgate a policy on such re-zonings as a part of the proposed Comprehensive Plan. Until such a policy is stated, it occurs to me that any re-zoning of current single-family homes sets a rather dangerous precedent.

5. From the Architectural Review standpoint, I note the present proposal calls for retention of one of the three existing homes in front of the larger, new buildings. Particularly because of the difficulty of architecturally integrating such diverse structures, I would think that at least preliminary approval of the Architectural Review Board would be pre-requisite to any re-zoning of these parcels pursuant to the current petition.

Hon. Gordon Kuzon, Mayor
May 11, 1980

Page 3.

I believe that Milly and I, and probably most neighbors, could be supportive of a quality development plan which does not substantially increase density within the area, and, perhaps, the petitioners will propose such a plan. I feel strongly, however, that it would be imprudent to re-zone the property on an "if-come" basis.

Thank you for your consideration of these thoughts and for your continuing good work for our Village. Please do not hesitate to contact me if you or the Board seek clarification of the above comments.

Respectfully submitted,

John B. Sheffer, II /pkt

JOHN B. SHEFFER, II

JBS/pkt

May 12, 1980

Dear Mr. Kuzon,

We are dismayed at the possibility that three single-family properties on South Cayuga Rd. may be re-zoned to multiple dwelling.

Obviously we oppose the added traffic and increased pressure on the sewer system which would be produced by such re-zoning.

But, even more important, we resent the continued attempts at intrusion upon the quality of life on our street by periodic requests to "modernize" and bring "progress" to our neighborhood.

We elected to live on a street which provides a small-town setting; a place with roots, character and tradition. We can tell from your home address that you have similar desires. If we wanted "modern" we would have moved somewhere out in East Amherst,

Anyone in the real estate business will tell you that South Cayuga Rd., despite its heavy traffic, is one of the most-desirable and saleable streets in the Town of Amherst.

Let's work to keep it that way and let the townhouses and condominiums be built someplace more fitting to their character.

Thank you for your interest and co-operation.

Sincerely,

Larry & Beverly Felser

Mr. and Mrs. L.J. Felser
236 South Cayuga Rd.
Williamsville

May 10, 1980

We, the undersigned property owners of South Cayuga Road, oppose the rezoning of the properties at 44, 50, and 54 South Cayuga Road, from single family homes to multiple dwellings.

Name Address Date

Patricia L. Kleber	94 S. Cayuga Rd. Williamsville, NY 14221	May 12, 1980
Thomas H. Kleber	94 S. Cayuga Rd. Amosk, NY	5/12/80
Virginia H. Smith	86 S. Cayuga Rd. " "	5/12/80
Allen H. Shamus	100 S. Cayuga. Wmerville, N.Y.	5/12/80
Allen H. Shamus	100 S. Cayuga Rd. " "	5/12/80
Mrs. Pauline	114 S. Cayuga. Amosk	5/12/80
Harriet A. Bunting	122 S. Cayuga - Wmerville	5/12/80
Albert H. Fort	111 S. Cayuga " "	" "
Charles & Catherine Craig	63 S. Cayuga. Wmerville	5/12/80
Mrs. Daniel O'Rourke	31 S. Cayuga	
Constance Ketch	19 S. Cayuga	5-12-80
Molly Steffer	80 S. Cayuga	5-12-80
Alan Harris	105 S. Cayuga Rd	5/12/80

May 10, 1980

We, the undersigned property owners of South Cayuga Road, oppose the rezoning of the properties at 44, 50, and 54 South Cayuga Road, from single family homes to multiple dwellings.

Name	Address	Date
Arthur Cotton	228 CAYUGA RD.	5/12/80
Barbara Murray	240 S. Cayuga Rd.	5/12/80
Eleanor J. Murray	238 S. Cayuga Rd.	5/12/80
James E. Murray	238 S. Cayuga Rd.	5/12/80
Beverly Felsen	236 S. Cayuga Rd.	5/12/80
Lawrence J. Felsen	236 S. Cayuga Rd.	5/12/80
Arthur W. Felsen	170 S. Cayuga Rd.	5/12/80
Mandy Felsen	170 S. Cayuga Rd.	5/12/80
William R. Shultz	149 S. Cayuga Rd.	5/12/80
Josephine Shultz	149 S. Cayuga Rd.	5/12/80

May 10, 1980

We, the undersigned property owners of South Cayuga Road, oppose the rezoning of the properties at 44, 50, and 54 South Cayuga Road, from single family homes to multiple dwellings.

Name	Address	Date
Dylva L. Kimball	215 S. Cayuga Rd	May 10, 1980
Art Glass	207 S. Cayuga	May 10, 1980
Jane Pace	207 S. Cayuga	May 10, 1980
Anne W. Reid	194 S. Cayuga	May 10, 1980
Charles Reed	194 S. Cayuga	May 10, 1980
Richard A. Dunning	200 S. Cayuga	" " "
Georgia Dunning	" "	" " "
Paul G. Pembrey	185 S. Cayuga	" " "
Donna Demetri	" "	" " "
Dorothy Sajdak	255 S. Cayuga Rd.	" " "
May Hodson	180 S. Cayuga Rd.	May 12, 1980
John Hodson	180 S. Cayuga Rd.	" " "
Mrs. D. Miller	" "	" " "
Lester Sajdak	255 S. Cayuga Rd.	May 12, 80

May 10, 1980

We, the undersigned property owners of South Cayuga Road, oppose the rezoning of the properties at 44, 50, and 54 South Cayuga Road, from single family homes to multiple dwellings.

Name	Address	Date
Julie Lawley	156 S. Cayuga Rd.	May 12, 1980
Virginia Bronkie of WIC	161 So. Cayuga Rd	May 12, 1980
Sally & Dick Marlette	144 S. Cayuga	May 12, 1980
A. Margaret M. Dushane	154 So. Cayuga Rd, Williamsville	May 12, '80, N.Y.
Helen & Ed Ostrowski	- 140 S. Cayuga Rd	May 12, 1980
Lorraine Corcoran	145 So Cayuga	May 12, 1980

May 10, 1980

We, the undersigned residents of the Village of Williamsville, oppose the rezoning of the properties at 44.50 and 54 South Cayuga Road, from single family to multiple dwellings.

Name	Address	Date
John Cloer	86 S. Cayuga Rd.	May 12, 1980