

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, November 14, 1983 at 7:35 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton
Michael Kibby Trustees
Lawrence Law
V. James Saia

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Phil Boudreau, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:35 PM.

Mayor Kuzon: We will begin this evening with a moment of silence in memory of a former Mayor of Williamsville, Howard Tatu, who was buried this morning. Howard was active in Village government for 14 years - I think it was 1953 to 1967 - and is probably the longest, or the person who served the longest as Mayor and it is most appropriate that we remember him today.

Next on our agenda this evening is the approval of minutes.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the regular meeting held October 24, 1983 were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Law, the minutes of the public hearing held October 24, 1983 regarding amending Section 70.312(C) of the Zoning Code relative to minimum front yard requirement in R-3 Districts were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the public hearing held October 24, 1983 regarding amending Section 70.270 of the Zoning Code relative to air structures were approved.

Unanimously carried.

Mayor Kuzon: Our next order of business this evening is a public hearing regarding our comprehensive planning study.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved to open the public hearing at 7:37 PM. (The hearing was closed at 9:50 PM.)

Unanimously carried.

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, November 14, 1983 at 7:35 PM

Trustee Kibby: Thank you, Mr. Mothersead and appreciate it, particularly since I understand that this is your third one today. Obviously we will be in touch with you very soon. Anything else you want to add?

Mr. Mothersead: No, I don't think so.

Trustee Kibby: Thank you.

Mayor Kuzon: Moving back to our regular agenda this evening the next thing would be my report and resolutions. This evening I have three resolutions. The first one is for vouchers. These cover the period from our last meeting on October 25th through this evening, November 14th.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$153,530.38 were approved as follows:

Payroll Fund	W/E 10/28/83	\$ 7,829.68
	W/E 11/14/83	8,122.30
	W/E 11/10/83	<u>4,507.27</u>
Total Payroll Fund		\$ 20,459.25
General Fund	Abstract #548	30,965.77
Sewer & Water Fund	Abstract #129	94,949.17
Trust & Agency Fund	Abstract #168	6,040.58
Glen Park Jt Activities Fund	Abstract #68	11.70
Federal Revenue Sharing Fund	Abstract #147	333.00
Community Development Fund	Abstract #77	9.63
SSES Rehab Fund	Abstract #26	<u>761.28</u>
Total Vouchers		\$153,530.38

Unanimously carried.

Mayor Kuzon: I believe that earlier this month, or even perhaps the end of last month we approved a contract with our union employees. It has been the standard practice in the Village to consider the salaries and the fringes included in that union contract for non-union employees and officers and my second resolution would authorize a 5% salary increase for this fiscal year from June 1, 1983 to May 31, 1984 to those non-union employees and officers, both full and part-time. This 5% salary increase is consistent with provisions of the contract for the union employees so the bottom line is that both union and non-union employees will get the same salary increase this year and it reads:

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, November 14, 1983 at 7:35 PM

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

RESOLVED that non-union employees and officers, both full time and part time, be granted a 5% salary increase for the fiscal year June 1, 1983 - May 31, 1984.

PERSONNEL
Non-union salary
increases

Unanimously carried.

My third resolution is a, basically a bookkeeping one and authorizes the Village Clerk to return the tax roll and those taxes remaining past due to the County so that the County will number 1 pay us for these unpaid taxes and number 2 then collect them on their own. I will read it just so that it's better explained.

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

WHEREAS the Village Clerk has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amount to \$6,984.00 (see attached listing) containing description of the land upon which such taxes are unpaid as the same were placed upon the tax roll, together with the amount of the tax so assessed and interest thereon, and

UNPAID TAXES

Return to
County for
Collection

WHEREAS the said Village Clerk under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

WHEREAS upon receiving such account from the Village Clerk, the Board of Trustees compared the same with the original tax roll of the Village, and

WHEREAS said Board of Trustees find such account to be true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct.

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Village of Williamsville is hereby credited by this Board of Trustees with amount of said account in said return, and

BE IT FURTHER RESOLVED that a certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of \$6,984.00 and reciting that the account has been compared and found to be correct; and that the

Village of Williamsville

P.O. Box 191
5583 Main Street
Williamsville, New York 14221-0191

November 14, 1983

County of Erie
Commissioner of Finance
Erie County Office Bldg.
95 Franklin Street
Buffalo, New York 14202

" We certify that the enclosed list of unpaid taxes is correct."

Lawrence R. Brenton
Lawrence R. Brenton

Michael W. Kibby
Michael W. Kibby

Lawrence R. Law, Jr.
Lawrence R. Law, Jr.

V. James Saia
V. James Saia

Gordon J. Kuzon
Gordon J. Kuzon

Village of Williamsville

P.O. Box 191
5583 Main Street
Williamsville, New York 14221-0191

1983 - 1984 UNPAID TAXES

<u>Account #</u>	<u>Account Address & Owner</u>	<u>Amount of Tax</u>
68.20-1-57	Donald L. Smith 201 N. Long St.	\$ 1.16
68.20-2-37	Robert H. Nebauer 34 Howard Ave.	187.04
69.13-1-38	Thomas J. Dietsch 40 Chalmers St.	219.56
69.13-1-50	Helen Wesolowski 70 Gordon St.	208.53
69.17-1-66	Richard E. Klyczek Sr. 190 Mill St.	166.98
69.17-3-26 (58 Eagle)	Theresa M. LePrell 52 Eagle St.	301.18
80.08-1-6 (47 Reist)	Diane L. Andres 157 Bird Ave., Buffalo 14215	256.52
80.08-1-11	Michael Moritz 42 Spring St.	70.12
80.08-5-42 (213 Calif.)	Jerome Hirsch 215 California Dr.	17.40
80.08-5-43	Jerome Hirsch 215 California Dr.	301.28
81.05-1-37 (44 S. Cayuga)	Thomas & Mary Lou Hogan 50 S. Cayuga Rd.	194.03
81.06-2-31	Mr. Anthony's Ltd. Amherst 5877 Main St.	3,860.56
81.06-2-8	Daniel & Nancy Chase 46 Pfohl Pl.	318.12
81.06-3-48	Joyce Cummings 183 Hirschfield Dr.	223.04
81.09-1-1 (Wellington Ct.)	Fred A. Hirsch 215 California Dr.	63.78
81.14-1-6 (61 Aero)	Harold Schectman 35 Rollingwood	496.25
81.14-1-14 (43 Creek Rd)	Frederick Reifsteck 84 Pfohl Place	98.45

\$ 6,984.00
=====

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, November 14, 1983 at 7:35 PM

Clérk transmit said account and certificate to the appropriate officer of the County of Erie within 15 days to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Unanimously carried.

That's all I have. Next is Trustee Kibby.

Trustee Kibby: Thank you, Mr. Mayor. I have four resolutions this evening. The first two are before us for a vote tonight. Both have been the subject of a public hearing. The first one, and I'll read it:

ON MOTION by Trustee Kibby, seconded by Trustee Law, the following resolution was adopted:

RESOLVED that Local Law #10 - 1983 - Amending Section 70.312 of the Zoning Code, which was the subject of a public hearing on October 24, 1983 is hereby adopted.

LOCAL LAW #10-
1983 adopted
Amend Section
70.312 of Zoning
Code

Unanimously carried.

Motion No. 2, the second motion has to do with the restriction of air structures to manufacturing districts and it reads:

ON MOTION by Trustee Kibby, seconded by Trustee Saia, the following resolution was adopted:

RESOLVED that Local Law #9 - 1983 - Amend Section 70.270 of the Zoning Code regarding Air Structures, which was the subject of a public hearing on October 24, 1983 is hereby adopted.

LOCAL LAW #9-
1983
ADOPTED
Amend Section
70.270 of Zoning
Code

Trustee Saia: Mr. Mayor, I must say this on this air structure. I think some of us have been approached on this change of the Zoning Code regarding air structures saying that all we want to do is move it out of our own area. With that I must say that Mr. Kibby has explained why it's, and the attorney, why it's to the best interests of all of us - it can't be to mine because I've got one in my backyard practically - so I already got one there - but for the rest of the residents in this Village it's for their best interests that this be restricted to the industrial or manufacturing area and with that I must say that the points that Mr. Kibby brought up were very valid to me.

Mayor Kuzon: Okay. I'm going to request a roll call.

Vote on Roll Call: Trustee Law - yes
Trustee Brenton - yes
Trustee Saia - yes
Trustee Kibby - yes
Mayor Kuzon - Before voting, I d like to explain my vote. First of all in thinking about this proposal it

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Williamsville
~~Town~~
Village

Local Law No. 9 of the year 19 83.

A local law Amend Section 70.270 of Zoning Code
(insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Williamsville as follows:
~~Town~~
Village

Section 70.270(J) Air Structures

An air supported structure of plastic or other material of rigid or non-rigid construction, whether or not the same be permanently affixed or anchored to the ground or some other permanent base.

This local law will take effect immediately upon filing with the Secretary of State.

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~xx
~~City~~xx of Williamsville
~~Town~~xx
Village
Local Law No. 10 of the year 19 83

A local law Amend Section 70.312 of the Zoning Code
(insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~xx of Williamsville as follows:
~~Town~~xx
Village

Section 70.312

Add new section (C) - In R-3 districts -
50 feet per dwelling.
Redesignate present "C" as "D"
Redesignate present "D" as "E".

This local law will take effect immediately upon filing with the Secretary of State.

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, November 14, 1983 at 7:35 PM

first became clear to me that this would be easy to support because the subject of air support structures, or the bubble, has been controversial and the reaction's been negative in the community, and it would be easy for me to support the limiting of these structures in a certain area. But as Jimmy indicated the point has been made and I think there's much validity to it that sure you're taking it out of one section of the Village and authorizing it to be located in another and that area is obviously next door to other residents of the Village. In considering these points though and discussing it with the Board at our 6:30 PM work session three statements were made that I think are appropriate and persuasive. The first one is that this structure can be built in that zone now and maybe that by itself is not reason enough to vote for the proposal. But the next two statements I think, are the ones that convinced me of my support for this proposal, and that is, number two it's highly unlikely that one of these structures would be built in the M-zone because of the unpracticality of building an air supported structure in an industrial use area. And number three, that in reality there probably is not enough land to build one of these structures in the M-zone. And with these three statements in mind I'm going to vote - yes.

Yes - 5; Noes - 0.

Unanimously carried.

Trustee Kibby: My next two resolutions deal with acceptance of community development funds and I move:

ON MOTION by Trustee Kibby, seconded by Trustee Law, the following resolution was adopted:

RESOLVED that the Board of Trustees of the Village of Williamsville, Erie County, New York, approves a Cooperative Agreement with the Town of Amherst under which the Town, as a Metropolitan City, will apply for and utilize a maximum share of any funds available to the Town and Village under the Housing and Community Development Act of 1974 as amended by the Housing and Community Development Act of 1981 and authorizes the Mayor to execute the necessary agreement and any other instruments required in connection therewith, in a form approved by the Village Attorney.

COMMUNITY
DEVELOPMENT

3 year contract
approved with
Town of
Amherst

Unanimously carried.

The fourth motion:

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

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, November 14, 1983 at 7:35 PM

COMMUNITY
DEVELOPMENT

RESOLVED that the Board of Trustees of the Village of Williamsville, Erie County, New York, approves a Cooperative agreement with the Town of Cheektowaga under which the Town, as a Metropolitan City, will apply for and utilize a maximum share of any funds available to the Town and Village under the Housing and Community Development Act of 1974 as amended by the Housing and Community Development Act of 1981 and authorizes the Mayor to execute the necessary agreement and any other instruments required in connection therewith, in a form approved by the Village Attorney.

3 year
contract
approved
with
Town of
Cheektowaga

Unanimously carried.

Thank you, Mr. Mayor.

Mayor Kuzon: Thank you. Next is Trustee Law.

Trustee Law: I'd like to report on the Senior Citizens. We had a meeting here a few days ago and it was kind of refreshing. We don't have buffer zones or clashes, or conflicts. We're planning a Christmas program which I find very pleasing. Mary Jane Eckert also was on a trip and part of the trip was to suggest to our Senior Citizens a way that we could have trips for our group. So these are some of the things we've been doing. Thank you.

Mayor Kuzon: Okay. Thank you. Next is Trustee Saia.

Trustee Saia: For my resolutions before my report, the first resolution is for money that every year we've been giving this to the Amherst Youth Board and it's a matching funds deal. The state matches that for youth deal and we, in this we have a waiver that if we need it during the course of the coming year we have a right to take the proportion that we have coming, we deserve it. So with that I would resolve:

ON MOTION by Trustee Saia, seconded by Trustee Law, the following resolution was adopted:

RESOLVED that the Mayor is authorized to sign New York State Division of Youth Waiver for 1984 State funds for Youth Service and Youth Recreation in the amount of \$5,803.81.

AUTHORIZATION

Mayor to sign Youth
Waiver for 1984
funds

Unanimously carried.

The second resolution - I'm bringing this, I'm forcing this resolution on the Board because I just don't, I do not believe that I can support a change of use from an R-4 district to a parking lot that's going to take place on, adjacent to a wetlands, our only wetland, I think, in the Village at 162 Mill St. which is the Tennis Center and I'd just like this on the record. I know how the rest of the Board feels and I respect them for it.

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, November 14, 1983 at 7:35 PM

ON MOTION by Trustee Saia, the following resolution was presented:

RESOLVED that the Board of Trustees of the Village of Williamsville is hereby opposed to the Town of Amherst Zoning Board of Appeals issuing a special use permit to G. Thomas Haney of 162 Mill Street in connection with a restricted parking lot which is located in the Town of Amherst.

TENNIS CENTER
PARKING LOT
Resolution
presented

There was no second.

Motion dies for lack of a second.

Now I'd like to report on one of my very active committees in the Village which is my Youth and Recreation Committee. On October 31st, it was in the Amherst Bee, a nice article, about 135 youngsters at the Veterans of Foreign Wars Post in the Village and my committee, I must say the accomplishments that we've had this year, there's going to be a list read off at probably the January meeting because that will be a year old. The next activity that's coming up is the Winterfest which is quite a big activity. We had our first one last year. It's in the Glen Park and it's sometime in January. I'll bring the date up and then in February there'll be an art show for the youngsters in Glen Park also. So keep an eye on the paper and I wish the people in the area would join in these activities because they are open to the Town of Amherst and we do get some people from the other end of Town. Let's get some of our people close by into the activities, especially this Winterfest. It's a good outdoor activity for kids and for the grownups. Cross-country skiing and other activities. So we invite everybody to keep an eye on the paper and see when it's going to happen. It's going to happen sometime in January.

Trustee Kibby: Good. I'm glad, Jim. I brought my children to cross-country ski there last year. It was a beautiful day. It was a delightful afternoon. I spent a large part of the afternoon. I met a lot of people from the Village. It was like a social situation in addition to the activity which, for me, isn't great when I ski except getting up and the friendliness of the firemen, I think at least on my part, was greatly appreciated. It's a good activity and I'm glad to see it happen again. It's an excellent activity.

Trustee Saia: Thank you.

Mayor Kuzon: Thank you. Next is Trustee Brenton.

Trustee Brenton: Thank you. For my report today, Mayor Kuzon, and myself met with Deputy Town Supervisor Collier and Town Councilman Kindel, Town Attorney Nesper, and Mr. Doan and Mr. Cesarine of the Town Engineering staff in regard to the request

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, November 14, 1983 at 7:35 PM

of the Town to enter our sewer on Wehrle Drive which was mistakenly associated with a problem whereby the County alleges that the siphon bypass on our sanitary sewer siphon, which is a system of three lines that go underneath Ellicott Creek, at any rate that this siphon which has a bypass is discharging, or has discharged into the Creek and we frankly don't agree with that although there might be evidence of the contrary so that the Town of Amherst will be monitoring that situation which is a portion of the Village of Williamsville sanitary sewer system. However, it is located on Town property and the purpose of that meeting was to relate to the Town our concern pertaining to this Wehrle Dr. situation perhaps exacerbating this alleged bypassing of the sewage and so that the Town is also going to be working on our sanitary sewer siphon in order to clean it and perhaps make some minor adjustments to assure that this condition does not occur, or to prevent it if it is occurring from happening again.

I also spoke with Councilman Kindel today regarding a proposal that he has sent out in the form of a memorandum to the Mayor of the Village and Chairman, Mr. Zaepfel the Chairman of the Amherst Conservation Advisory Council and Mr. English the Chairman of the Amherst Planning Board. The proposal deals with utilization of a piece of property that many Village residents are unaware of the fact that we own and that's a portion of the Hopkins Rd. dump, which is, our property is in the center of that dump, in fact it is in the center and it creates an "L" shape, the length of the "L" being, the foot of the "L" rather being a portion of the Hopkins Rd. frontage itself and then the situation running from Hopkins all the way back, the total acreage of approximately 12. And Mr. Kindel has foresightedly seen that perhaps with the construction of an overflow retention pond at sewage treatment 16 there may be approximately 60,000 cubic yards of fill which he would like to dump in the both areas of the town and village owned properties of the present dump in order to begin development of that particular area into a park, recreational facility which he reasons will take many, many, many years. However, I did have a concern regarding that, in particular the concern being that the property that is the Village's really is being used now for disposal of biodegradable leaves and branches and things like that and we could really use that, continue to use that because otherwise we'd have to pay a considerable amount of money and go a further distance in order to rid ourselves of these leaves, etc. So that through a further conversation with Deputy Supervisor Collier it, he thought that we could be allowed to utilize the Town's very new very large sized packing machine should we have need to use these facilities in the future as a result of this area, this dump area being closed off to us. And as far as myself is concerned, I felt that that was a very good idea and I thought that that would be an equitable trade-off for that particular need. However, there is also the aspect of the Village property being in effect swallowed by the development of the Town in that we are surrounded on both sides - this is on Hopkins Rd. again - by Town property. So I expressed the opinion that perhaps the Town might want to purchase this property from

HOPKINS
ROAD DUMP
PROPOSAL
Discussed

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, November 14, 1983 at 7:35 PM

us and I think at a later date we might be negotiating toward that end, or at least we will see, and I certainly think that the concept of Councilman Kindel is a very, very worthy cause and he's spent a lot of time on it so I think that probably this Board of Trustees will make a decision as to whether or not we should simply donate the property or leave it as is and let them in effect develop it. At this stage of the game I would think that it's too far removed from Village residents to really be of service and perhaps it would be better for the Town to go ahead and, bearing in mind that we are all Town residents, go ahead and develop that for the purpose of all Town residents and perhaps the Village receive some minor remuneration to allow this property to be taken by the Town. So that took two meetings today.

And then I'd also report that the Fire Department has established the truck specification committee in order to develop specifications for a new pumper truck which the Board has conceptually agreed to depending on the potential cost of said vehicle and the results of the anticipated cost, and the Fire Department is working toward that end.

That concludes my report and for resolutions tonight I have first, the awarding of the Reist, Spring and Grove St. water line project which I'll deal with independently. This particular project is probably one of our weakest areas regarding fire protection within the community and by running this through from Main St. down Reist to Spring over to Grove and thence to Glen we will construct an effective loop and also provide without question adequate fire flows to the rear side of the Main St. mercantile area in that particular area and also to the other commercial developments to the north and, of course, to the St. Peter & Paul Church and School area. This is a great need as I said. Unfortunately the bids have come in considerably higher than the engineering firm of Tallamy, VanKuren, Gertis and Associates anticipated. There is no given reason outside of the fact that perhaps work is getting a little more plentiful out there and these people can thus bid a little bit higher and I would point out that the high bid here is \$82,000 plus and the low bid is \$48,000 plus. So that I do believe that even though this is higher than anticipated we should go ahead with this and this is my recommendation to the Board. Thus the resolution which is number one and reads as follows:

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

WHEREAS the Village of Williamsville has advertised for sealed bids for a waterline project on Reist, Spring and Grove Streets, and

WHEREAS Samcost Construction Co., 2448 Union Road, submitted their low bid meeting specifications,

CONTRACT
AWARDED

Reist, Spring &
Grove Sts.
Water Line

OPENING OF BIDS - VILLAGE CLERKS OFFICE
 PROJECT REIST, SPRING, GROVE - WATERLINE

DATE: NOVEMBER 9, 1983 10:00 A.M.

CONTRACTOR	PROPOSAL BID AMOUNT	CERTIFIED CHECK OR BID BOND PROVIDED
① M C Morgan Co. 3690 Sheridan Newark, 14226	\$53,285.-	Bond
② San Cost Construction		
② Max - Wal Const. Co. 440 Gould Ave. Waver	70,260.-	Bond
③ John R. Schuler Co. 9070 Main, Clarence	82,847.45	Bond
④ Eval Carth 6984 E Canal - Lockport	51,452.00	Bond
⑤ Letis Contracting 261 Massachusetts Buffalo	70,500.-	Bond
⑥ San Cost Construction 2448 Union Rd.	48,162.-	Bond

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, November 14, 1983 at 7:35 PM

NOW, THEREFORE, BE IT RESOLVED that Samcost Construction be awarded the contract for reconstruction of Reist, Spring and Grove Streets waterline for their low bid of \$48,162.00.

Trustee Saia: On the question, maybe you can explain something here because I just got this tonight. On Samcost Construction for 500 square yards of pavement restoration it's \$8,500 and the estimate was \$3,500. I know there's differences.

Trustee Brenton: I think Mr. Boudreau would be better able to explain because he's received the material by now.

Mr. Boudreau: No, I've not seen this.

Trustee Saia: Well it's just that one particular item for 500 square yards of pavement restoration. There's a \$5,000 difference and if you take the difference between the two contractors, this guy's got \$14 and this is \$17.

Mr. Boudreau: That's okay.

Trustee Brenton: Traditionally the way they do it they bid very low on one item and exceptionally higher on the other. Isn't that correct?

Trustee Saia: There's \$10 unit price difference between what the engineer estimates.

Trustee Brenton: If they are low on the overall bid that's his only criteria. In other words, you can't pick his bid apart and take a low aspect of somebody else's bid and compare that with his low bid. It's his low bid overall which is recommended to, for acceptance by us or to us by the engineering firm who is extremely, although they're new to us, they're an extremely reputable old line firm that we feel comfortable with. So I defer simply to them and of course, to Mr. Boudreau. I, the material, I did not receive the material until tonight either and it was my understanding that it was going to be delivered to Mr. Boudreau during the day and then he would have it available for the Board tonight.

Unanimously carried.

Resolution number 2, and I'm sorry to take so long with these. I'll try to make this briefer. It deals with the proposal that we had also at the same time bid out for reconstruction of the Howard Ave. water line and these bids also came in extremely high and, therefore, it is my recommendation to reject these bids. The reason for this is that I think if we can re-spec this particular line, it is not of crucial importance to us where I think the other line was of crucial importance to us, or is of crucial importance to us, and we can re-spec this and we can bid

OPENING OF BIDS - VILLAGE CLERKS OFFICE

PROJECT **HOWARD AVE - WATERLINE**

DATE: **NOVEMBER 9, 1983 10:30 A.M.**

CONTRACTOR	PROPOSAL BID AMOUNT	CERTIFIED CHECK OR BID BOND PROVIDED
① MCKeehan Contracting 3690 Sheridan St.	\$65,246.-	Bond
② Mer-Wal Construction 440 Gould Ave. Wye	\$81,075.-	Bond
③ John K. Schuler, Inc. 9070 Main St. Claremont	73,517.59	Bond
④ Royal Earth Boring 6984 E. Canal Lockport	64,702.-	Bond
⑤ Leticia Contracting 261 Massachusetts St. Co	94,285.-	Bond
⑥ Sam Cost Construction 2448 Main Rd. Chickawago	66,863.50	Bond

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, November 14, 1983 at 7:35 PM

it in the winter and see if the contracting firms are a little more hungry in the winter, in fact late winter before they know exactly how it is going to go in the spring season. And so it is my recommendation to reject these, all of these bids for the Howard St. water line. The resolution reads as follows:

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

RESOLVED that all sealed bids received on	BIDS REJECTED
November 9, 1983 for the reconstruction of	
the Howard Avenue waterline are hereby rejected.	Howard Avenue Water Line

Unanimously carried.

And that's all I have, thank you, Mr. Mayor.

Mayor Kuzon: Thank you. Next is Mr. Boudreau, our Superintendent of Public Works.

Mr. Boudreau: Refuse collection - We are currently in the middle of leaf collection season. Each day the leaf fall is heavy. The D.P.W. crews are busy each day collecting the ever increasing volume of leaves accumulating on Village streets. Leaf piles deposited in the Village right-of-way for collection must be free of all branches, twigs or other solid debris for our leaf vacuums to collect the leaves.

Secondly, the regular garbage and refuse collection program now occurring on the winter schedule (that is once a week on Mondays) will collect most forms of refuse if properly containerized or bundled and tied up. This will include, but not be necessarily limited to, brush and branches cut into 6' lengths, bundled and tied or packed into containers. It also includes rugs, liners, etc. rolled and tied up. All trash will be picked up if it is bundled, packaged or containerized. Anything packaged in a plastic trash bag will be picked up. No loose or piled debris will be picked up.

And on the Winter Snow Ordinance the winter "no parking" snow ordinance, is now in effect on all Village streets. This means that during the early morning hours of each day (1:00 AM to 6:00 AM) no parking is allowed on Village streets. This will permit our street plows to clear the streets after or during a snowfall.

That's the end of my report.

Mayor Kuzon: Thank you.

Trustee Brenton: Paragraph two regarding brush, I'd just like to correct. Brush will be picked up in 4' lengths, not 6' lengths and has to be bundled. So the point is 4' rather than 6'. But I

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, November 14, 1983 at 7:35 PM

would request that people that put out one twig, or three or four little twigs, and expect someone to come up and pick them up, if they'd just take a piece of string and wrap it up before they put it out there, make sure it's under 4' in length. Because it does make it a lot easier and that was the intent of our refuse ordinance for people to kind of help themselves and to keep their taxes down by having the contractor pick this up and we don't have to go along with our chipper and stop and chip one limb and go onto another place and chip another limb or a big pile. So it would be very helpful if everyone could try when they have small amounts of limbs to bundle them up, 4' maximum.

ON MOTION by Mayor Kuzon, seconded by Trustee Law, it was moved to suspend the rules for public participation.

Unanimously carried.

Mayor Kuzon: This portion of the agenda is reserved for public participation. Anyone in the audience? Mr. Schueckler.

Donald Schueckler, 124 S. Union Road: Number one I want to thank you gentlemen. That car got loaded on a trailer and has gone out of state. Number two how are we doing on the railroad, Larry?

Trustee Brenton: We're, we made an offer to them and we're waiting for what I would call a responsible reply. They have to, they tell me, take it to their Board of Directors, and you'd think it would have to go to the President of the railroad himself to listen to them. But we are awaiting their reply.

Mr. Schueckler: Is that the same amount of money we talked about last month, the last meeting, or are we down lower now?

Trustee Brenton: No, it's lower.

Mr. Schueckler: Does that mean they could tell us to jump in the lake?

Trustee Brenton: They can tell us anything they want but we still have our rights and they have no, there is no legal way they can circumvent our rights. We have made a considerably lower offer and we're awaiting their reply.

Mayor Kuzon: Mr. Hill.

Richard Hill, 18 Brookside Dr.: To Trustee Brenton - Is the road repairing all finished for the season?

Trustee Brenton: Other than potholes. I should refer to Mr. Boudreau regarding that.

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, November 14, 1983 at 7:35 PM

Mr. Boudreau: If and when we get our patcher out on the road we'll be up there to fix it. You're on the list.

Mr. Hill: Good. Thank you.

Mayor Kuzon: Mr. Borsuck.

Michael Borsuck, 165 Eagle Street: Yeah, I'd just like to take a few minutes here. Basically I'm here about my fence again. I just have one very quick question and I'd direct my question to Mr. Troy. Mr. Troy, I'll give you a brief, let you know what was going on as I have asked formally by Mr. Wood, I've asked to Mr. Wood to get a rehearing. Mr. Troy has stated under the laws what is required for a rehearing and this is understood. What my question is so I can prepare for my rehearing is that on the original hearing of September 14, 1983 in the memorandum and minutes of the meeting the Board of Appeals granted me two of the five criteria necessary to gain a variance. Now what I want to know sir is on my rehearing do I lose out on these two that I've already gained and go for a complete new rehearing.

Mr. Troy: I haven't given any thought to that at all, Mr. Borsuck. If you'll phone me during the week I'll certainly give my attention to it and give you an opinion on it.

Mr. Borsuck: Okay. Thank you, sir.

Mayor Kuzon: Is there anyone else? If not...

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

Unanimously carried.

Mayor Kuzon: If there's no further business a motion would be in order to adjourn. But before we do do that, I'd just like to recognize Tillie Brunner who celebrated her 108th birthday at the St. Francis Home. I guess it was this last week, Tom?

Mr. Troy: Yes.

Mayor Kuzon: And to the best of our knowledge she's a life-long resident and we'd like to wish her a Happy Birthday and many more.

ON MOTION by Trustee Brenton, seconded by Trustee Saia, the meeting was adjourned at 10:20 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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, November 14, 1983 at 7:37 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton
Michael Kibby Trustees
Lawrence Law
V. James Saia

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Phil Boudreau, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Williamsville on November 14, 1983 at 7:35 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussion of the proposed Comprehensive Planning Study for the Village of Williamsville.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved to open the hearing at 7:37 PM.

PUBLIC
HEARING

Unanimously carried.

Mayor Kuzon: At this time I'll turn the hearing over to Trustee Kibby.

MASTER
PLAN

Trustee Kibby: Thank you, Mayor Kuzon. Before I introduce the gentleman who will present the basic concepts of the comprehensive planning study just let me give you a little bit of background. This whole project started a number of years ago, in fact it started before I even came into office and there are other aspects of it than the comprehensive plan. One of the other aspects was a series of strip pictures taken from one end of Main St. to the other on both sides to provide reference to, for the Planning Board. The purpose of the comprehensive plan, well I don't want to be negative, but let me start with what it isn't. It is not a zoning map, okay, in any way, shape or form. It is not a proposal to rezone. It is not to take the place of our present zoning map. It is a concept plan for the next 30, 35 years to guide the Board of Trustees, and probably more particularly to guide the Planning Board and the Architectural Review Board (that's one Board). The plan takes into account a number of concepts. The plan takes into account a number of concepts. It encourages the Planning Board and the Board of Trustees in looking at its, at the residential, commercial and manufacturing areas of the Village. It takes into account overall economic development in the Village. It is going to be used possibly, if adopted, as a guide in looking at future zoning decisions which are always faced in the Village. It is, gives ideas on the development of housing types to meet future needs. It provides a great deal of support for considering environmental and historic preservation aspects in the Village.

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, November 14, 1983 at 7:37 PM

It's useful in looking at, for guidance in terms of future public investments, capital investments, federal funds, historic preservation, future low housing development, particularly under HUD. This is Mr. Mothersead, the man who will be presenting this concept at this evening's public hearing. He is the Vice President of Economic Consultants Organization and has been working on this project for a year and a half, two and a half years. He has met with the Planning Board on at least four or five occasions. This Planning Board did send a letter to the Board of Trustees indicating that their recommendation was that we accept this concept plan, that we approve this concept plan, accept it. Mr. Mothersead has also met with the Village Trustees on at least three or four occasions and had input from most of the Village Trustees, after his presentation to the Trustees. I don't know what else to say in terms of background. If I've left anything out, Chris, I'm sure you'll fill it in. The man who will be presenting this plan and the basic details of it is, as I indicated, Christopher Mothersead, who is Vice President of Economic Consultants Organization. Chris, you're on.

PUBLIC
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Mr. Mothersead: Thank you very much, Mike. Can everyone hear me all right without a microphone? I'd rather not use one if I don't have to. I took some excerpts of tables that I'm going to be referencing this evening in presenting this into a series of hand-outs. I'll leave them right here if you want to come up either now or afterwards and pick one up. It's got a skeletal copy of the master plan and some of the key tables that I'll be talking about in the presentation.

Master
Plan

As Mike indicated the master plan is not a zoning ordinance but all communities, based on legislation a number of years ago, were allowed to develop a master plan, develop a guide as to what the future of a community is and the correct word is, as Mike indicated, is concept. It is not what people can and cannot do with their land, which is what zoning is, but it is in fact the concept of what people would like to see their community to be. The Village undertook one of the first maps in 1966 by Tryon & Schwartz in East Aurora and it looks something like this. This is what the Planning Board and Village Board of Trustees have been using for a number of years to help guide and direct zoning decisions, land development and redevelopment and I want to stress the word redevelopment because that's really the key to a community like the Village of Williamsville which is primarily already developed. In 1972 an update of that was done by Tryon & Schwartz also, which this is just a summary of it. And what they did was put the trends and activities identified in that 1966 plan and say are there changes that should suggest other land uses? Are there activities or things not being done that should be done? And they came up with a master plan.

I'm just trying to give you a background of the kind of activity that has gone on and later on our firm came in in 1982 and took a look at some new activities which were the problems that now they have and the utilization of community development funds and we

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, November 14, 1983 at 7:37 PM

generated the report on the housing survey for the Village of Williamsville to establish a target area for the use of community development block grant funds within the Village. These documents deal with what the physical development of a community is and what kind of activities go on to guide how people make investments, how public investments and public dollars will be spent, which is in fact the tax dollars and whether or not that will benefit the community or not. So if people come in and want to make changes in the land or improve their buildings and their community it is in fact consistent with the long range goals, the development ideas are, of that community and, as Mike said, and I will stress again this is extremely different from zoning in that zoning legally says what you can or cannot do. The value of a master plan is not only a layout for people what the development policies or redevelopment policies are to guide those zoning actions, but also has an expression of design for the community on how they'd like to see their surrounding area to look for years to come.

PUBLIC
HEARING

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We usually choose a point in time in the future 20 or 30 years in advance in order to get an idea of where changes of ownership might happen, what will happen to the building, structure when that ownership changes, what the next generation will be looking at more or less. In this case, the target year that was chosen was the year 2010, which is consistent with other local and regional dates, demographic projections, so roughly 30 years in the future from the 1980 census and we took a look in this case at key things that had happened since the last up-date of the master plan in 1972. We looked at changes in population, changes in households and household size, what kinds of housing types are the most prevalent and will be coming in the future very quickly by looking at what's happening in other areas of the country and other parts of this area, Western New York. We took a look at employment, employment considerations and what effect that is going to have on the Village. We also looked at new environmental constraints and the need for state regulations and federal regulations dealing with flood plains and wetlands. We took a look at what is happening in the towns surrounding the Village and how that might affect the growth and development of the Village. What kind of transportation facilities, what kind of traffic flow, what kind of sewer and water. A whole range of things that that suggests. And then we finally look at the factors that affect what was something of great interest to this Village and the Village Board, which is Main St. So couched within this overall master plan of how the entire community is going to move is some interesting specifics about what can be done with Main St., what is happening to commercial activities and commercial facilities in and around the Village, and what ways might the commercial stock along Main St. be changed, improved, made more stable, etc., etc. So let me give you some of the details of it first off.

MASTER
PLAN

We looked at a number of land uses and identified - in 1979, 1981, excuse me, in 1979 the individual that did the work prior to our firm in this study collected land use. We collected it again to

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, November 14, 1983 at 7:37 PM

verify some areas and identified seven basic neighborhoods in the Village and we noted a couple of things that had happened since the last master plan update was done, shift in retail away from centralized center Village area, and I'm speaking across the street right up here, to up and down Main St. and more auto oriented retail. By that I mean that they were establishments to which people would drive into with their cars, park and when they were done there they would drive somewhere else. And that's a trend that's happening nationally. The major retail form of land use that has taken advantage of that, of course, is the shopping plaza and then was superceded with the shopping mall. We also found that there was very little brand new retail, as a matter of fact no new retail in terms of new construction of building units in the core area, which is right here between Cayuga and Mill St.

PUBLIC
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There's - also we identified that there was a change in the types of residential units that were being constructed based on building permits. Mostly they were two-, three-family homes, low level or garden type apartments, and conversions. There was also improvements of structures. We noted the historic significance of many of the residential units around the Village. And we also noted that there is a large, large pool of single family homes, of very viable homes that should be retained into the future.

In combination with that we want to take a look at what some of the population trends were in the area and that's a little procedure we call demographics, which means how and what and where people are. In 1960 the population of the Village was 6,316. In 1970 it was 6,835. In 1980 it had dropped down to 6,017. If you adjust all that for people who live in group quarters, for instance military barracks, nursing homes, hospitals - that's general group quarters - and compare that against the occupied housing units based on the 1980 census you find that the main culprit for the change in population from '70 to '80 was a decrease in household size, meaning there are fewer and fewer persons per household. This doesn't seem particularly unusual. We find that in Western New York people are not having as large families as they did 10 years ago, 20 years ago. Those families that are here have children. The children grow up, go to college, and unfortunately because of the economic circumstances they don't come back here. A large percentage of them unfortunately move out of the area. So as a result the overall size of the households is smaller. Now this creates somewhat of a problem that we noted right off in that change in household size implies two things. Number one because the Village is fully developed there isn't necessarily a large pool of vacant land that somebody says well okay if the household size is changing, the population declining, there is always good places to build, there will always be an expansion. It's not the case here at all. In fact, because we call the Village fully developed, there is no avenue for increasing simply the number of housing units in the area. Coupled with that, a change in household size also indicates that there will be a change in demand for the types of

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, November 14, 1983 at 7:37 PM

new areas to the north of Town. So you can see that there is a direct relationship between commercial viability, the population and the third component of that, which is the employment base, which draws on office and other employees to bring into the area for goods and services. So out of this we suggested the second or the most moderate, not the most but right in the middle, which suggested that there was going to be basically the stabilization of population at 5,800 and that there would be a slight growth in the number of occupied housing units from 2,585 in 1980, up to 2,900 and that the average persons per household would level off at 2.0 persons per household.

PUBLIC
HEARING

Well, knowing that information and using that as the premise, we would then have to see what kinds of things that suggested to the Village and we went through a number of meetings - Mike didn't get a chance to go to all of them - I think we had about 20 or 25 meetings, continually, and came up with a master plan and I will, I will be the first one to admit that unfortunately this was very hastily put together and not the best of maps. What in fact the map looks like in a form which has not been finally printed yet is something like this. It has various color codes and such to make it quite legible and quite readable. Now although this is a visual expression we can give you a few ideas of what went into the background of that. The first thing we do is take a look at some of the, some of the philosophies, some of the stated ideas that should be held as a primary intent of any physical plan for what's going to happen in the future. These are called the goals and objectives of the master planning effort and what we did was put together in conjunction with the Planning Board a whole series of these for each type of land use.

MASTER
PLAN

Residential objectives for instance, support the national housing goal of decent housing and a suitable living environment for every family in the Village; to encourage the stabilization and selected reuse of the Village's housing supply; to discourage concentrated development in areas where environmental features or developmental limitations might result in illogical development patterns or exorbitant community maintenance costs; to develop efficiency and compatibility with both environment and Village design; to maintain and protect established residential areas by preventing the introduction of incompatible land uses through wise zoning practices; to encourage safe, adequate and sound design and construction standards; to eliminate blighting conditions through code enforcement and incentive community facilities investment; to encourage planned residential areas that provide a variety of housing needs and amenities; to promote the residential character of the Village - I'm just reading a few of these because they're quite, there are quite a few of them - character of the Village by preserving the existing housing stock through maintenance and improvement and accomodating new housing that is compatible with that character. In fact, those are the design consistency of the

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, November 14, 1983 at 7:37 PM

units and we are also seeing this in the market which is why most of the new units, or most of the new demand for units is in conversion, townhouse, condominium - which is a fairly new form of land use in Western New York - multi-family housing, smaller unit size because of the cost and smaller demand and then a different type of form like the townhouse or the multi-family unit. As a matter of fact, of course in the Village there have just been recent changes of Williamsville Towers over from apartments to condominiums. But this is not just a local trend. It's a national trend. So it's again not something that is terribly startling and we expected to find it pretty much all over Erie County and it has. In taking a look at this, however, we have to be kind of sensitive to what's going to happen to the Village if you make some suggestions for changes in the housing types, or what kinds of redevelopment there's going to be. So we actually didn't look at one possibility and it's suggested by the year 2010 here with a target of 5,800 people. We actually looked at three different futures. We looked at one future where there was no change in the housing stock for the Village. We looked at a second future in which there was no change in the population but, of course, because of the change in household size that meant an increase in the number of housing units. The third one we looked at is what was developed a number of years ago by the Village itself which was a target of what we call goal population of 6,500 that in the 1970's the Village was looking at itself and saying I think we're going to be about 6,500 sometime in the future. We tested each of those plans and found that the larger one was going to be too difficult to implement because it required removal of a number of existing structures, or changes, a lot of changes in the existing lots and those changes were to multi-family homes. The lower one where there was no change in the housing unit suggested the population to go down quite low, as low as 4,500 as a matter of fact, statistically, and when that happens there are some real problems in terms of what kind of services can still be supplied within the Village, whether or not they would continue to be supplied because of the decline in population base and where would those facilities go. And this becomes very pragmatic because remember at the outset I said that one of the key areas of interest to the Village, or the Planning Board members, was what happens with Main St. and whether or not it is supportable and stable over time, and we find that the community surrounding the Village had different ideas of where the center of population was, because years and years ago the Village was the center of population, and now with the heavily growing areas of Sewer District 16 in the northern part of Amherst, that center of commercial development and that center of commercial activity is moving out, is moving away from the center of the Village and that creates some problems, because as the population declines it is no longer the economic support, we call it the economic base for business and commerce and, therefore, it goes to where it can get the best market. As a matter of fact, someone in the Town had said that the new center of Town is now at Hopkins and Sheridan and that before the year 2025 the new center of Town is moving to the Audubon or somewhere there right in that area and that's because of the heavy growth of Ransom Oaks and the

PUBLIC
HEARING
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MASTER
PLAN

housing stock as well as preservation of the existing.

Commercial objectives - to control the number, location and types of uses through coordinated zoning; to discourage strip or spot commercial developments along major traffic arterials in favor of planned commercial clusters; to encourage neighborhood commercial centers for the provision of goods and services; to encourage the consolidation of the Village commercial core into a viable pedestrian oriented area; to require and assure adequate off-street parking to serve commercial needs; Again, you can see these are starting to set the tone of what kinds of things we're considering when the plan is put together.

PUBLIC
HEARING

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Industrial objectives - to control and buffer industrial uses thereby preventing hazards related to public health, safety and general welfare.

MASTER
PLAN

And public and semi-public and recreational objectives - to encourage the cooperative formation of long range development and redevelopment plans by all those in institutional bodies who are involved in municipal actions and activities; to preserve guidelines for adequate provision of participating facilities to promote the development of community facilities and recreation for all ages. As I say, there are a number of others but this is the primary one. That sets the stage for - what we did in this case was go through a number of areas in terms of the public and semi-public that I just touched on. The major areas are three, dealing with park, recreation and conservation. The Ellicott Creek moving right through the center of the Village forms not only a barrier that in some ways cause the Village and a convenient way to look at different neighborhoods, but also one of the most valuable resources of the Village for conservation and preservation. The creek area itself is a designated floodway, under the National Flood Insurance Program and is not to be constructed or built in other than for primarily passive recreation purposes. Surrounding that the areas you see right around here is the flood plain and you can see that even in areas that are already developed it's fairly extensive. Those are areas where land use is limited by both state and federal law because of the potential flood hazards. On top of that are a series of parks and open spaces. Garrison Park here and Island Park. The parkland over in this area which was retained, it's that western portion of the Village, the developed diamond. Glen Park back in here and then, and then certain other open spaces, or public facilities. Of course, the complex of Village and Town government offices here, Academy School, the Tennis Center, churches, cemetery. These all add to the open space breaks in urban design that should be retained in the future.

Another part of that background was the transportation system and we outline specifically where the major roadways were to keep from congestion and preserve the traffic flows in through the Village. Main St. can easily be identified, Cayuga, North and South Cayuga up as far as Glen St., Glen St. itself as a collector, Mill and Evans, and of course Wehrle and Garrison and the Thruway back down here.

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, November 14, 1983 at 7:37 PM

There are a couple of other small collectors that are alternatives to traffic utilized throughout the Village and that is California and Milton and Eagle St. in back here. This is shown with the dashed line. What these roads can do is form some boundaries and limitations for different types of activities and so we know for instance in this area right here is a street front on Main Street that is developed in such a way as to have a lot of activity on it. However, the area back in here which is a mixed commercial, residential, church, a number of different activities, it's not very clear what's going on here. In those areas we determined the fact that the street offers a nice boundary and, therefore, this residential area should be preserved and it should be enhanced and protected over time, whereas this should be allowed to go more in a commercial area over time. That is the next 30 years all the way back to Glen because residential development was compromised by the bad neighbor argument between commercial and residential and that either office space or higher density residential can be used to help buffer and create a better transition, a better barrier between the residential and higher commercial activity occurring along Main St. This was carried through in many other areas. Here's another example of that right in here where we identified residential area, it's here on Oakgrove, and the streets over here towards Garrison and that with heavy activity, office through here and retail through here, are buffered slightly by an area called medium density housing which serves, let's say higher density. The idea there would be conversions of existing units, etc., etc. But looking at the land use identifications here very quickly. First of all there was low density residential and that's all the blank area you see on here with no indications of any symbol. Those areas were all to be single family, primarily single family and some doubles, but right now the zoning ordinance allows them to be converted to doubles. We are suggesting that because of reorganization of the space and the future density to support a population of 5,800 persons there is no need to continually allow conversions especially in prime areas where single family homes shouldn't be threatened in any way in the future by the possible conversions or turning into apartments. Instead, that density can be traded off into areas where it is more reasonable, is more allowable and we can identify areas where they're more amenable like here, or down here where there already are apartments and some other areas back up Spring to the medium family. The medium family was used as a transition zone between incompatible types of uses, as I suggested before single family homes and commercial. It was also used to identify and focus where those kinds of land uses could exist primarily on arterial highways or direct access and in areas that would otherwise be compromised for single family or for commercial and that's why the area down here right at Wehrle and Garrison is an appropriate area, a lot of activity going on. This whole southwestern corner is already zoned this way, as a matter of fact. The apartments here. The only new area that I could think of is a strip right along Park. Again that offers a buffering area between commercial and office space along here and the preservation of single family homes

PUBLIC
HEARING
(Con't)

MASTER
PLAN

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, November 14, 1983 at 7:37 PM

aside the park along Oakgrove. The only other one was a high density residential - and by high density I mean buildings, not necessarily high rises, six to eight stories maximum is what we are looking at and again the reason here was an attempt to respond to what happened in the past. There have been three high density units already approved within the Village. There has always been some controversy as to whether or not those were in the correct place or not. The idea here was that we know the request is going to come for such types of housing units. As a matter of fact, they certainly do aid the tax base. But the idea was to put them in such a place and to allow for them in such a way that they don't compromise the other residential areas and they can be easily accomodated with public services and sewage. The two main areas that were identified were adjacent to the existing Carriage House right here off of Spring St. and the other one was next to, or in the general area of the Williamsville Towers where there is an existing development there. Now I'm not suggesting by either one of those uses that somebody run out and buy the VFW Hall and build on it, or that they should sell it very quickly, or that the office and apartment combinations here at Rinewalt should be torn down to the ground so that could be prepared for this. No. I'm just saying that if in fact the Village does receive applications and suggestions for higher density development and let's say that application came back here at Cayuga and Glen the Village would be fully within its rights according and based on the master plan to say, no, we will not rezone that area because we have already identified appropriate areas in other parts of the Village that are adequate for higher density housing and that that is fully all we need to meet the needs of the future, so that something in some other part is inadequate and not appropriate in design. That's one of the things a master plan can help with, quite frankly.

PUBLIC
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MASTER
PLAN

Two types of commercial development and three areas were reviewed. Primarily office and general business, which is self-explanatory and the idea was to see what kind of activities and what kind of physical layout would help to strengthen and stabilize the base of Village development. I'm not going to go too much into this now because that really is the whole heart of the development plan, what happens along Main St. I'll just mention briefly that as a result of the pressures from the surrounding area and movement of population there is some strain on the commercial development, both office and retail in this area, in the Village, excuse me, and the attempt was to look at what kinds of functions the Village needs over a long term for commercial development and consolidate those so that they are not only manageable but can be self-reinforcing and we found three basic areas which I'll go into a lot more detail a little bit later. We found that this end of the Village was primarily retail oriented towards the automobile with Bells, and some of the other uses, CVS, McDonalds. Fast activities, in and out, people not staying for a long period of time. We also found out at Garrison, the area out here where there was neighborhood commercial - we call that convenience services where there are things that support primarily the neighborhoods surrounding, directly surrounding here, convenience items, small clothing, specialty items, things like that. And then

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, November 14, 1983 at 7:37 PM

finally the Village core itself which is split out into office development here and retail developments all along the north side of Main that draw not just from the Village but from all over the area and in some cases from quite a bit larger area. Ronekers certainly doesn't draw just from the Village of Williamsville. It draws from Lockport, West Seneca and all over the region. When we looked at - so what we were trying to do here is identify is there a realistic possibility of a concept for a Village center here and I think that's what we found in fact, which would be the center of cultural and physical activities for the Village, a broad range of resources including government, residential, recreation, institution and retail-commercial uses. But as I said, I'll explain that part of it later.

PUBLIC

HEARING

In industrial development, we found that because of the pressures (Con't) of outside and the decline in industry in this area we didn't find, we didn't believe there was going to be much more impetus for industrial development than there is right now and that encompasses the lands right around the railroad tracks in the western part of the Village and the area just outside of the Thruway, the southern part of Aero Dr. Those are the two main industrial areas. The one thing which was thought is that for the future we are suggesting that as this land may become available and maybe turned over that it should no longer be industrial use. There are a lot of conflicts between industrial use here on California Dr. and the residences surrounding that area. It creates problems both for users and owners as well. So that as a concept again that if in fact there were proposals that came in for sale of this property and others were to come and say I'd like to know what to do to that the Village should rather say it would be of better benefit to have that return to residential and let the industrial move over in this area along the rail line rather than continue to remain within the residential neighborhood. Those are the major types of considerations for that part of the plan.

MASTER
PLAN

We also have an implementation section which dealt with housing and a number of other factors in which we identified where the critical areas are in conjunction with the Village to address some of the needs we saw as part of the master plan effort. And there were four major areas, actually five major areas, excuse me. One in terms of housing and that relates to the community development block grant program and target area in which we found in order to retain the viable stock in the Village that they can, there were enough needs, let me back up just a minute. Our firm in '82 as I suggested, did an identification of housing needs in the Village. The result of that was a number of programs that are a part of the community development block grant program and as a result of that and additional work we did in surveying part of the target area, housing improvement needs came right out of that, the need for winterization through insulation because of the older structures and the larger structures that exist in the Village, certain rehabilitation needs, especially for low income people, like major repairs to roofs, plumbing or the furnace which are part of

an on-going program in the Village and Town right now. Code enforcement to maintain the Village housing stock and insure that it is kept improved over time. And then finally not a point program as it says there, but a paint program to provide materials and incentives for painting and general upgrading of some of the housing areas. The second major area was basic infrastructure improvement that we found was in selected disrepair throughout the target area, sewer and water replacement which the Village has been undertaking for at least three years now. And there's street repair, repaving and some street lighting with that. Most of these things incorporate problems and are fairly expensive so it's not something that's done overnight.

PUBLIC
HEARING
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In the commercial revitalization which is part of the development plan, we identify parking, rear entrance opportunities for off-street parking, site preparation and store front facades. Again I'll describe those in detail in just a moment.

MASTER
PLAN

Two other areas which were of interest is increased use of Glen Park, the possibility of some summertime activities for festival and recreation. It has primarily been and should be a passive recreation area for walking, for cultural activities. But there were suggestions, especially from the Planning Board of the possibility of skating in the wintertime, or in the summertime the use of the pavillion for some activities oriented directly at the Village of Williamsville, a small festival or something like that might be appropriate. And then last but not least the integration of recreation with some of the massive school facilities that exist in the community which is Williamsville South, or Mill Middle School, for community swim program or other activities dealing with education and recreation between the Village and the schools.

The area, the other area that we were called on for in there is Historic Preservation owing to the fact that there were a substantial number of structures in the Village that were of historic significance and should be preserved and maintained and that the Village should consider this. I show you this just quickly to give you an idea of where the community development block grant target area is for most of the housing programs and for the expenditure of the majority of community development funds. That program is changing dramatically all the time but nevertheless this was the primary purpose area of block grant funds and is part of the master plan. It is not too unusual as part of a master plan to get into specific or isolated issues. Sometimes master plans deal with zoning ordinances in terms of making recommendations for changes in those ordinances. Sometimes they deal with what kinds of capital projects, capital facilities should be put together in order to make improvements or redevelop one area or expand development into a new area because it's desired to be encouraged in those directions. In other cases we look at a microcosm or a small isolated sector of a community and incorporate that into the overall planning process. Such was the case with this plan, with the

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, November 14, 1983 at 7:37 PM

Williamsville master plan because there is such an interest in Main St. and the influence that that has on the development of the Village itself. So we entertained specifically the creation of a development plan, a rather detailed one, that identifies commercial opportunities, and remember I was talking before about three particular areas along Main St. and you can see them very definitively here. The - what I'm looking at in this case is where the major anchors are, those things that attract retail attention and are the central, or the center of retail markets within the Village. One is Bells, down here on the corner of Union and Main, and then the Marine Midland Bank, which generates a dramatic amount of traffic. The whole municipal office complex, the Town and Village activities, the court, etc., the library. The retail plaza, Ed Youngs and the convenient store and the small shops that are around that and then finally, Garrison Square and then on this end right across the street the convenience store there. Those are the major areas we can see and those anchors and those things that attract people primarily are located again in three primary areas of the Village.

PUBLIC
HEARING
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MASTER PLAN

So we looked at a number of things. First we looked at the existing anchors and we also looked at parking and parking opportunities to see what effect that was going to have on what kind of adequacy there was existing. This breaks it down by each block and this also and the sheets that I set over there. So I'm not going to go over each block. Just an indication that there were some major problems identified with parking and traffic flow. Those were inadequacy of on-street parking, especially in the area where the most activity is. Here the block between, actually Reist and Mill St. along Main. Not only is on-street parking inadequate, but off-street parking is as much as 110% occupied in some lots, which means that there are a number of people parking right up to capacity and parking illegally in many cases which creates problems for fire service. In this case we did an inventory of all the spaces, all the parking lots, both on and off-street and found that there was just under 3,000 spaces. Now, the estimated demand based on the amount of square footage and needs for turnover of parking spaces was only 2,762. But you say look, they that must be adequate, almost 3,000 spaces but only about 2,750, 2,800 needed. The problem is in this case that the major supply is in the wrong place. There is an inadequate supply here in the center, there is a more than adequate supply at the east end and at the west end. So that when we took a look at where the supply was inadequate for the demand we actually came up with a need for another 300 spaces and plugged that into some of the requirements for which we were doing the development plan and take a look at parking and parking identification. We also did a survey of merchants along Main St. to find out how they felt about parking conditions and how much space there was and how many employees and all of those kinds of things. This was again, by block and I'm not going to break it down. There are 365 firms along Main St. from Union to

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, November 14, 1983 at 7:37 PM

Farber, representing over 1,600 employees, which is a substantial base. Over 600,000 square feet, 75 owners and 295 tenants and there are an additional 242 residential units within that. As you can see also the number of parking problems that were identified from our survey and the type of demands that they had were primarily, for parking by the way, existant right in this center area, Cayuga to Ellicott, which is again the major problem area for both on-street and off-street parking and that's where a lot of the adverse effect was concentrated.

PUBLIC
HEARING

Now the plan itself that was put together in conjunction with the Planning Board, dealt with these issues. A central core, what (Con't) can be done with parking and parking opportunities and at the same time traffic flow and what will influence the continuity of Main St. and its economic life to continued commercial use and commercial development. Now we have actually a series of I think it's 21 maps that were done for each and every block on the north side and the south side of Main St. A lot of them deal with simply cleaning up of existing buildings, stratification of the surrounding lots, marking and striping, signage, a few other minor things. The three major areas I'm going to show you now, although all of them are available for you to look at, these are the three major ones. The first one is the area from Los Robles to S. Cayuga on the south side of Main St. The three things we were dealing with here were 1) the fact that the Village Pharmacy and its building are almost obscured from Main St. and that there were a number of parking and access and variety of goods problems. When we took a look at marketing and commercial development we take a look for where the best opportunities are and what can be capitalized on with different store mixes and what kind of market they will have. Whether they can simply live off of the surrounding area or they have to draw from a broad area surrounding the Village limits and in most cases all of these have to rely on areas outside of the Village and if they don't start to draw that one by one they will start to disappear because there simply isn't enough income to continually support them. This area, as I said, is between Los Robles and Cayuga, right here. Someone is saying, gee, there's something missing off my map. One of the things called for in this plan is demolition of the structure that was right here in order to accomplish a plaza-like arrangement off of Main St. What this does in effect is clear up parking, open up parking opportunity to increase visibility of the whole area from Main St., add to square footage for a variety of shops and stores to complement the large building and then increase parking and access and flow through the parking facilities out the side streets over to S. Cayuga and around behind to this area. Now this is a very good idea. Again, it's not something that can be implemented overnight. For one thing, there is someone who may have a major objection to it, like the gentleman who owns this store that's no longer on this map. However, there are things from it that can be done fairly in a short time. The plan, the master plan, also addresses how some of these things might be done and what kind of staging should be

MASTER
PLAN

done as part of it. For instance, the improvement of striping or lighting of the parking area over here is still a very viable thing. The parking in this area is still at a premium and there is adequate available land to do the kind of parking opportunities and movement of access out to Los Robles without making any changes in the surrounding area. If in fact the Village would like to attempt to, with public funds, to acquire that building and start to make this happen with a developer that's something. If a private developer came in and acquired this property and he worked with this owner or these owners of property, again a number of things could happen. Obviously that's not something that could happen overnight, but it shows you one of the opportunities that can be done to improve parking and improve the retail opportunities and make some major changes which would be attractive to people in the area. That was the first area.

PUBLIC HEARING
(Con't)

The second area that I wanted to call to your attention is the area between Mill and Ellicott, which is the area of the Meeting House right at Mill and Main in which we looked at the fact that there were three store opportunities and there was a problem in parking at Sorrentino's and the Meeting House that has been existant for some time. To help resolve this we took a look at no physical changes here directly, but the opportunity for parking in concert with the alley and with all of the property owners across here. Now, again, I can't remember right off hand how many parking spaces there were in this lot beforehand, but it showed an increase in parking and a way to improve both the atmosphere and the appeal of that whole area right there whereas three separate owners - the owners of this building, this building, and of course the Village - would work together for the improvement to maintain their parking. This one at the time seemed a little shaky because getting public and private property owners together is a little difficult. However, I understand the Village has already undertaken discussions with the property owners to try to implement that and are moving ahead there.

MASTER
PLAN

This next one is the concept of the center of Williamsville and actually occurs on two maps. It shows that, a couple of key things in this, which are ideas. The idea of connecting or creating a whole rear area as a plaza. The creation of an entire new back area in here with retail activities and a variety of activities focusing on that area. One for parking. Two for recreation. As a direct link, this would be a virtual link of some sort between the parking area and the Old Mill down here, right down into Glen Park for direct association of activities with the commercial area. New office and retail space across the back over top of the park. The apartments, high rise apartment - as I said high rise six stories, eight stories maximum as I have suggested before. Retail and office space down in here associated with it and of course at this time there was an indication that there was going to be a movement of the fire hall, so this could obviously be sold to other retail interests, and then probably most interesting was the closing down of Rock St. in order to abandon and sell that for additional retail space, and then in doing so creating a complete new parking

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, November 14, 1983 at 7:37 PM

arrangement and alignment to allow for increased parking and a focus of activities residential, commercial and recreational. The reason this was suggested was to provide a continuous shopping opportunity along the Main St. side. Everytime there's a extended break in pedestrian opportunities and pedestrian activities then there is a reason for people to turn around and go the other way which is why most retail merchants like the idea. They say, if you can get me a pedestrian, I'll make a customer out of him for sure but if you give me a vacant lot I'm in trouble from both sides. In addition, by filling that space in it simplifies an awful lot of the traffic problems coming through here. In addition to the abandonment of Rock St. the only structure directly that would have to be removed is the small structure that exists right here at the corner of Rock and Spring. Again many of the components of this may not be directly implementable and I would be the first one to admit that putting new retail and office space over top of Glen Park is not something that's going to be technologically possible tomorrow. It's a very difficult task. However, there are existing buildings that are over it already. The key thing may be in fact some of the retail along here and the reorienting of some of the merchants back to this improved parking area. As a matter of fact, subsequent to us developing the plan with the Planning Board two requests came in for conversions of houses along here from residential to commercial. So again, a lot of these things are not very far out of line at all. Those are the three major issues that were addressed by the plan. This one represents a rather substantial increase in parking, somewhere near 40 or 60 vehicles in an area where it is needed more than any other area and there are a number of reasons for that. But that is it primarily and I would be glad to entertain any questions, any comments. This is being presented tonight for comment, question, concern because it is only in draft form and as such we are still available to the Village to modify and change it before it actually becomes a formal official document of the Village.

PUBLIC
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MASTER
PLAN

Trustee Kibby: Thank you, Mr. Mothersead. I'll open the floor to questions, comments, criticisms. If you would like to speak, please use the microphone because we do tape record. Would you state your name and address please.

Mr. Alan Blackburn, 31 Reist St.: I got a copy of the master plan last week and I found that we were - I live on Reist St. between Spring and Glen in an area that is supposed to be redeveloped for office space. The area where I live, and there's a block with seven contiguous residential properties, one-family homes, and our concern was that we want to remain residential. We like living where we are. We moved here because we like the residential. I've been here about nine years and I'm happy with the area and - right now this plan we're supposed to be redeveloped for office space and it seems like it will happen more piecemeal and one of the problems with the plan is that one of the ways you suggest doing it on page 34 here, it says special development

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, November 14, 1983 at 7:37 PM

district may be used for funding and things like parking lots and lighting and if we're included in the area that would be re-developed for office use, my concern is that we would be asked to join in this development and pay taxes for a parking lot that we may not necessarily want next door. And that's - I talked with my neighbors about that, about this, and we, most decided we would prefer to remain residential and we got a petition together if you'd like to see it.

PUBLIC
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(Con't)

Trustee Kibby: Yes, we would.

Mr. Blackburn: And so that the block of residential homes is on the west side along Reist between Glen and Spring. There's seven homes. There's also one home on Spring St., right on the corner. We prefer to remain residential and another problem there may be with this plan is office space does not really provide a good buffer to a residential area. So if we are residential there are some fairly nice homes owned by Gallagher and the Banks on Reist St. just north of Glen. It would be fronted right across the street from office space. Perhaps a better idea, if we don't remain residential, may be go low residential to retain more of a buffer situation in that area of Reist St.

Trustee Kibby: Medium residential, because you have two units, or three units to a given household.

Mr. Blackburn: We would like - right now it's a good place to raise families. In fact, there are three of us on the street that have, four of us that have children. Four of the seven have children and we would like to see it remain that way. I'd like to remain here until I die, but if it looks like it's going piecemeal then I'll be forced to really move out because if I had an office on either side of me...

Trustee Kibby: I hear you saying your greatest preference, 99% preference is leave it the way it is.

MASTER PLAN

Mr. Blackburn: Yes.

Trustee Kibby: And if that's not going to happen do it all at once so that it isn't piecemeal, so that one neighbor isn't gone and then there's an apartment, excuse me, an office there so that the next neighbor's confronting an office. Is that right?

Mr. Blackburn: Right.

Trustee Kibby: Okay, fine. I just wanted to make sure I heard what you said.

Mr. Blackburn: See we are a block of residential houses, residential homes right now. We're not piecemeal. Spring to Glen and we'd like to stay that way.

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, November 14, 1983 at 7:37 PM

Trustee Kibby: Thank you for your concerns and would you leave that please? Thank you for coming sir. Anyone else? Mr. Sweeney.

Richard Sweeney, 325 Mill St.: Good evening gentlemen. I have a number of questions and basically my questions arise from the fact that for something more than a couple of months I've been looking at what I assumed was the master plan and very quickly tonight Mr. Mothersead opened my eyes that there is much more than I have seen in terms of a master plan and I'd really like to find out what is it that is being proposed as the master plan that would be approved, would it extend to the detail of individual maps, the three specifics that were shown this evening? Would the master plan include that kind of detail or are those supplemental suggestions and the something like 40 page report that I have seen be considered the master plan itself?

PUBLIC
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Trustee Kibby: Are you asking, Rich, if this thing is the master plan and if these are supplementary?

Mr. Sweeney: Exactly.

MASTER
PLAN

Trustee Kibby: Okay.

Mr. Sweeney: What is it that is approved?

Trustee Kibby: What will be approved, as I understand it - correct me if I'm wrong here, Christopher - is it's in a two step plan. One is the master plan here, okay, and that these are further concept development plans that would be a second, I guess in legal terms it would be a second motion, second vote.

Mr. Mothersead: No. It would all be part of the same document. It's just that the development plan is a recommendation for implementation of one piece of the master plan. It takes a look at a detailed area, in this case the commercial along Main St. If the Planning Board or the Village Board decided to embrace it it would be part of that document and those detailed maps would simply be a suggestion, a concept of what can be done or what should be done for continued viability of the commercial stock along Main St. They are not something that the Village would be then committed to do in any way, shape or form.

Mr. Sweeney: In the form of a suggested appendix to the plan itself?

Mr. Mothersead: That's correct.

Mr. Sweeney: Rather than that being the specific layout that the Trustees are recommending be accepted. Okay. The other thing I - that was mentioned early on in your presentation that I don't - I'm not aware of and haven't seen in the discussion of alternatives dealing with let's call them different scenerios 30 years hence based on retaining the existing housing stock and this continuing trend of declining household size. Again, we started talking somewhat

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, November 14, 1983 at 7:37 PM

about demographics and the interrelationship between the demographics and the commercial center and alternatives and I haven't seen any of those alternatives and I'd like to know where are those alternatives and to what extent is the plan that's being considered going to include several alternatives rather than...

PUBLIC
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(Con't)

Mr. Mothersead: The plan is one alternative that was selected by the Planning Board as being the appropriate expression of future development. They did review three alternative futures and three physical expressions of those. The physical expressions were not very different. They are working documents that ended up being received by the Planning Board. They selected the primary one which I subsequently reviewed with the Village Board as being an appropriate way to go and set before the Village because it became an issue of things being very confusing if in fact three alternatives for futures were put before the entire community, chose one. Then it becomes a vote. The best thing is to just present and provide one. If that one needs to be modified there is background and justification to go alternative ways. But nonetheless, let's deal with one.

MASTER
PLAN

Mr. Sweeney: The handout this evening was the ultimate, or the master plan 2010 is the recommended.

Mr. Mothersead: Yes.

Mr. Sweeney: Okay.

Trustee Kibby: You do touch a sensitive point though, Rich. That is those of us who've been around this community for 10 years or more whether it's in the Village or all of Amherst have seen these number games, these number projections go up and down. I think you hit a sensitive point when you say that all these plans are based upon a projection of fewer people per household in the Village. I think - I mean I'm not a demographics expert and I don't believe you are either and I tend to trust those who are that tell me that especially when it meets with what I'm observing throughout the community and that is the number of people per household is, just goes down every year. You can see that. But that is an assumption of this alternative, Rich. Right now it isn't an alternative, it is it.

Mr. Sweeney: Okay. Thank you. Again I have - well perhaps I should start in commending the Board and Mr. Mothersead in spending the time to plan our future, whether or not I agree or any of the residents here tonight agree in all particulars, I'd like to commend you for that planning effort. Again, there are some obvious things in my mind that are very objectionable and I'd like perhaps an opportunity later to discuss some specific points. But I first wanted to clarify what it is that is being recommended for action by the 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, November 14, 1983 at 7:37 PM

Trustee Kibby: I don't want to play grammarian here, but I don't think this Board intends to plan your future. I think it intends to plan for an alternate future and I see more than just a semantic difference there. Okay? Thank you. Do you have something else? I didn't mean to cut you short.

Mr. Sweeney: No. I really wanted to give somebody else an opportunity to speak and perhaps come back and ask a few more specifics.

PUBLIC
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(Con't)

Trustee Kibby: Feel free. Mr. Hill.

MASTER
PLAN

Richard Hill, 18 Brookside Dr.: On that set of plans that you showed us on the center of the Village you showed us there on the parking on Spring St. and from where I sat back there it looked like it was drawn in parallel parking. Is that right? I mean diagonal parking.

Mr. Mothersead: Yes.

Mr. Hill: That's not a very safe way to park. I think that was done away with years ago because of the accidents you had on Main St. and other towns have done away with it too. Now you're coming back to it, to parallel parking - I mean diagonal parking to increase the number of parking places.

Mr. Mothersead: That's correct.

Mr. Hill: And you're also increasing the number of accidents.

Mr. Mothersead: It was done away with years ago on thoroughfares. It still exists in many areas in parking lots and of course what I'm suggesting is that is no longer functioning as a through street. It is primarily a major driveway in the parking lot.

Mr. Hill: Well if you're going to use that for - do away with Rock Street, those coming up Mill onto Main, down Main to - you're coming up Mill and you've got to cut across someplace on Main to get into the parking area. You've got a loop there. I don't quite understand that loop. If you cut off Rock St. you've got Cayuga at one end and Mill at the other. How do you get into that parking area?

Mr. Mothersead: You come in through Spring St. You still come in through Spring St. It would be like entering a parking lot. Now there the whole area we would be treating as a parking lot, not as a series of streets that cross behind stores and shops. Your point is well, is very good in that diagonal parking is more dangerous on a through street but even functioning as it is now it's not really a through street in the sense that it has a large number of traffic problems of such that it makes that a terribly dangerous condition.

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, November 14, 1983 at 7:37 PM

Mr. Hill: You're dumping a lot more traffic onto Cayuga right now, right?

Mr. Mothersead: In my report I mentioned that that is a problem street. In terms of traffic flow that intersection would have to be improved and there has been some sympathy from D.O.T. about that intersection for some time. The solutions are not self-evident because of the lack of right-of-way.

PUBLIC
HEARING
(Con't)

Mr. Hill: That's true, too.

Mr. Mothersead: But you're correct, it would create, especially on the north side of Cayuga there would be a traffic problem there which is why I wanted to leave that south, excuse me, the north section of Rock St. open as a separate egress out of the area, a one-way egress.

MASTER
PLAN

Mr. Hill: You have built this apartment or high rise on both sides of Spring St. along there and, by your plan. Is that right?

Mr. Mothersead: Well, no. The place I was showing that might be an appropriate parcel is the VFW Hall parcel, if in fact they ever want to get rid of that building some time in the future. But that's on the same side of the street as the Carriage House.

Mr. Hill: Yes. But I'm talking about, you've got the business places, facing Main St., and then you've got a parking lot, then you've got Spring St. and then you've got according to your plan office space and high rise in there. Now what are you leaving there on that so-called Spring St. now and into that area for fire protection for those places? You've got parallel parking, it's narrowed the street, and I'm just wondering how Rick Andrews can get some of the fire equipment down there to fight a fire in one of the high rises, if you've got the room to do it. I think it's something Rick will probably be asking that.

The other thing, the map you showed tonight shows very little R-2. You took all this area and said it was going to remain single homes. Now on the map here on page 20 it's got R-2 and R-2, even my place up at Brookside and Cadman up in there, Scott over to Columbia is R-2. Now what are the plans we are using? It doesn't jibe.

Mr. Mothersead: Okay. Remember that the master plan is not zoning. You're looking at a zoning map.

Mr. Hill: Well this is what you're putting in your master plan for the future.

Mr. Mothersead: I'm recommending that the land use be that way. There are many different ways to handle that in a zoning ordinance. Most of the ways I'm suggesting the land use is consistent with the existing ordinance with only a very few exceptions. So I'm not suggesting that there now needs to be a wholesale change.

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, November 14, 1983 at 7:37 PM

Mr. Hill: I'm not talking about today or tomorrow or next year. I'm talking about according to this master plan, if the Board adopts this master plan suppose a developer comes in and says hey this is recommended R-2 how about making R-2 so I can start making homes up there.

PUBLIC
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(Con't)

Mr. Mothersead: That's up to the Planning Board and the Village Board. If they think that the timing is appropriate for that. I'm just saying and the Planning Board was saying that in the future that is probably the best direction that can go, not only for development but to protect the area surrounding it. In the meantime when that occurs it's up to the Planning Board and the Village Board as to when that should appropriately be done.

MASTER
PLAN

Mr. Hill: But wouldn't this give the developer a leg to stand on to sue the Village? Are you sure of that?

Mr. Mothersead: Yes. I'll refer to Tom if he'd like to comment.

Mr. Troy: I have a couple of questions that I want to ask you. Dick and I, I guess, are running somewhat parallel here in our thoughts. I understand, I do understand you correctly, that this, that this plan lies somewhere in the area between a pious wish on the one hand and legal compulsion on the other. It doesn't have the character of either but it's somewhere in between the two. Like a guide.

Mr. Mothersead: It has a place.

Mr. Troy: And it's persuasive powers are what? Mainly moral and social. In other words, what happens if a Planning Board decides to permit an individual development which would be 180° opposed in principle to the master plan. Would a citizen or a group of citizens have a right to proceed to court to block that action on the part of the Planning Board or would it simply have to accept? In other words the definition to me is vague. Is there any legal compulsion at all once it's accepted by the Board.

Mr. Mothersead: No, but that ambiguity is the exact same thing that has forced many communities away from the adoption by the legislative body of a community of a master plan and instead merely approving it for use to guide long range development by the Planning Board. Accepting or approving it for use rather than adopting it because they feel there may be some legal confusion about its status in municipal law and the zoning ordinance of a community, which has direct status. You see what I mean? I'm not solving the problem but...

Mr. Troy: But there's a difference between adopting it and kind of like accepting it and filing it.

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, November 14, 1983 at 7:37 PM

Mr. Mothersead: Well, no, that's different. Accepting and filing it is saying you have no interest and no status on it and you put it on a shelf. If it does then you don't have something that adequately expresses your community. That's the moral obligation. The master plan itself has no status of enforcement per se. However, if there is litigation on a zoning one way or the other, the zoning is being contested or the municipality tries to do something about that, then having such a master plan forms the rationale and basis for the legal backup to...

PUBLIC
HEARING

Mr. Troy: It can be evidentiary material in other words to support a certain position in litigation involving zoning. In other words, party A is in favor of a certain type of zoning, party B opposes and the master plan let's say fits more with B, it becomes a matter of evidentiary weight.

(Con't)

Mr. Mothersead: That's correct. Conversely without such a master plan, it becomes much more difficult to substantiate a community's point of view and many cases have been thrown out simply because they can't offer one of the two main challenges to zoning, which is rationale of procedure. So, yes. Without it, it becomes much more difficult.

MASTER PLAN

Mr. Hill: I think the attorney answered one of my questions. When I talked to a land developer and he informed me that if a community adopted a master plan it gave land developers a legal edge to go in there and do what the master plan called for.

Mr. Mothersead: No. I have seen cases quite the opposite as a matter of fact, because the two functions of a master plan, the zoning ordinance and the capital program, depend on timing. And it's up to the community to interpret that plan and suggest not only where, based on zoning, but when based on staging is the appropriate time for that to happen. I guess, sure anyone is welcome to take a community to court on any number of issues but of success I'm not so sure.

Mr. Hill: The other thing I question I know you said it's for the future, but the building up over the park. That park has been financed partially by federal funds and I doubt very much if legally we could take part of the park away to put a building up there.

Mr. Mothersead: Well there are ways to handle that without necessarily physically building in the park.

Mr. Hill: Yeah, but you'd be over the park.

Mr. Mothersead: That's correct.

Mr. Hill: It wouldn't enhance the park very much, would it?

Mr. Mothersead: I don't know. I'm not making that value judgment. I only think it is possible and a good attribute. If it's reasonable, yes. If it's not, fine.

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, November 14, 1983 at 7:37 PM

Mr. Hill: This map here that I have, the colored map, it shows all this green area as recreation area. Is that right?

Mr. Mothersead: Recreation or conservation. In this case it's conservation.

PUBLIC
HEARING
(Con't)

Mr. Hill: Well, what do you mean?

Mr. Mothersead: Flood plain. It's designated flood plain within the community.

MASTER PLAN

Mr. Hill: Well, what about houses there now?

Mr. Mothersead: They are exempted by the fact of they are there in accordance with federal law.

Mr. Hill: This area along here is pretty heavy with houses right now.

Mr. Mothersead: I know and that's part of the flood plain.

Mr. Hill: I thought...

Trustee Kibby: You're not suggesting we ask those people to take the houses down. But there are codes, we won't ask you to quote them, codes as to what kind of improvements you can make and there are certain improvements if you wish to make them you'll have to do other sorts of things if you live in that flood plain.

Mr. Mothersead: As with most laws, except for a few, that isn't suggesting that what is there already is going to be torn down or done something else with. It just says what can happen to that land in the future.

Mr. Hill: I know it's not going to be done overnight. The one thing that kind of got me because I've been all through those parking plans you have too, and I ran into some streets I never heard of. I was wondering where the maps came from.

Mr. Mothersead: The maps were drawn by my predecessor and I'm in the process - those base maps were not correctd. The original base maps have been corrected. I apologize. The Planning Board made me aware of that as did the Village Board that there were some erroneous things. Where they came from I can't quite be sure. But just to tell you I wasn't directly responsible for the base maps themselves.

Mr. Hill: In one of your maps, the target map, detailed maps there you left out Grove St. too and on the other one you didn't. I was wondering whether you had two plans there, one wiping it out and one not to wipe it out.

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, November 14, 1983 at 7:37 PM

Mr. Mothersead: No. One of the maps only covered that area. I know where you're talking about. No, it's not wiped out. It is merely that for some reason the individual who did the maps did not draw it all the way to Grove St. I guess he ran out of material or...

PUBLIC
HEARING
(Con't)

Mr. Hill: It's all the way to the Village line.

Mr. Mothersead: I know. I know.

MASTER PLAN

Mr. Hill: You've got a street which I never heard of.

Trustee Kibby: That's one of the reasons we changed individuals also. One of them.

Mr. Mothersead: But Grove St. on one map is appropriately identified. It is just not existing on the other map.

Mr. Hill: But I still think that diagonal parking is a bad way to go and I'd just like to make sure that there's some place for the fire trucks to get in.

Mr. Mothersead: Thank you.

Trustee Kibby: Anyone else? Rich.

Mr. Sweeney: As long as there's no one else I'll come back to my specifics. I would like to return to the point Dick Hill was making about the flood plain designation as park, recreation, conservation on the master plan and I really find that a problematic thing in that definitely there appears to be some intent to reserve at least a part of those areas as park, recreation or conservation and I don't think the Board or anyplace else in the master plan that intent is made. So I really find that useless information on the map or a problem in its being there.

Mr. Mothersead: Have you tried to build in a flood plain?

Mr. Sweeney: I don't build but I deal with applications for building in the flood plain routinely and it is routinely done and the codes and the guidelines specifically are intended to protect life and avoid unnecessary property damage. They are not a prohibition of building nor do they put any constraint on the maintenance of existing structures or the expansion of those existing structures within limits and I think showing this area of flood plain and designating it park, recreation, conservation is just a totally false impression. I think a lot of what the plan is talking about is maintaining a certain population figure, a population density for the Village and to show existing housing stock somehow in conflict with the intent to have that area for park, recreation and conservation sets up a conflict that is unnecessary and not really desired. I don't have any problems, nor do I

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, November 14, 1983 at 7:37 PM

want to refute that the area is a flood plain but I think there is a basic problem that the flood plain does not mean conservation, recreation or park area which - although those are very suitable uses for a flood plain. One of the other specifics - well the other specific that I have particular problems with...

PUBLIC
HEARING
(Con't)

Trustee Kibby: What do you suggest then, Rich?

Mr. Sweeney: That perhaps the map be modified to eliminate those areas shown as park, recreation, conservation.

MASTER
PLAN

Trustee Kibby: Particularly that Willowbrook...

Mr. Sweeney: Willowbrook, Brookside, Wehrle Dr.

Trustee Kibby: Okay. I understand what you're saying.

Mr. Sweeney: On the other hand if the intent of this is to promote park, recreation and conservation I think it's an excellent idea to show and to plan for park, recreation and conservation areas extending from the southern end of Island Park along the creek and perhaps extending to the Village limits as shown. But again, this is, part of that is undeveloped and it would be suitable for preservation or conversion to parks.

Trustee Kibby: Brookside might be interesting to try to convert that.

Mr. Sweeney: No. This is what I'm saying. There's an obvious problem. Either it's meaningless or it's not properly drawn.

Trustee Kibby: Okay. Good question.

Mr. Sweeney: If we want to make it meaningful trying to promote the development of park area...

Mr. Mothersead: It is conservation, Mike. That's one of the problems. Conservation in this case means the identification of areas that have special environmental conditions or problems associated with them. To suggest that through a master plan for development of an area that people are allowed to without restraint to go into a flood plain area and yet somewhat later as in many other areas of the Town of Amherst is going to be inundated and their property damaged as a result is totally misleading and suggests that they could do that by demonstrating that - I don't think...

Mr. Troy: Could you separate park and conservation land though by a different designation and that would solve his objection.

Mr. Sweeney: I have the objection that you're making from the opposite side.

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, November 14, 1983 at 7:37 PM

Mr. Mothersead: I understand that. I think public responsibility and not...

Trustee Kibby: As Mr. Troy was indicating would it be possible on your map to take a different magic marker for conservation land and then use a green magic marker for recreation and park facilities?

PUBLIC
HEARING
(Con't)

Mr. Mothersead: Yes.

Trustee Kibby: Okay. Then would that in turn answer your question and still provide the hazard warning that I guess is what you're saying to anybody who might use this map?

MASTER
PLAN

Mr. Mothersead: The problem is it's not just a hazard. This is required under federal and state legislation. It is not just a - in one case you can do certain things with it but in the other case you're totally limited from either the type or the kind of things you can do. So it is not simply a warning. In many cases it's a restriction but not a complete restriction.

Trustee Brenton: I think quite obviously the area was designated as recreation, conservation and this follows the original flood plain delineation. It would appear obvious to me that you would just simply take your park area that you feel is designated park area and then that area you want to protect the awareness feature as being flood plain area just a lighter shade of blue and there you've got your flood plain. Because obviously this is the flood plain that you've got in green here. So park/recreation green and flood plain light and you've got it.

Mr. Mothersead: Fine.

Trustee Kibby: More?

Mr. Sweeney: Yes. We have more than park area. I think probably the Village center idea is the most fascinating or farreaching type proposal and I obviously am very much concerned with seeing major changes bordering on perhaps a recreational park achieved at great effort in the community and adjacent to perhaps one of the most historic sites in the community, the Williamsville Mills. So I'm very much concerned with those changes in that area and again, recognizing that this is not in effect a zoning change, but I think I would have some real problems and reservations on designating a portion of the acreage of the existing Glen Park and the Williamsville Mills, a historic site whether or not it is officially designated on the National Historic Register at this time, as being subject to conversion into commercial areas. I would like to see some greater intent or some greater flexibility in that area. Likewise in the industrial area one of the changes...

Trustee Kibby: Before you get there could you - do you mind if I ask a question? What are you suggesting? I mean - I don't know

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, November 14, 1983 at 7:37 PM

what you mean, Richard, by more flexibility.

Mr. Sweeney: Well if I could simply state my own préjudice or opinion, I'd like to see that...

PUBLIC
HEARING
(Con't)

Trustee Kibby: You can. It's a public hearing.

Mr. Sweeney: that commercial designation within Glen Park removed. I'd like to see it kept park.

MASTER
PLAN

Trustee Kibby: And?

Mr. Sweeney: Well to go on further, I'd also disagree with increasing the high rise adjacent there. I think if we're trying to promote that area as commercial that's one area where commercial would be suitable rather than increase the high rise that's residential.

Trustee Kibby: When I read this, and you are well aware, Richard, that I was one of the people that carried petitions a number of years ago against high rises, but as I was reading this I have some marginalia in here that says what's wrong with high rises. Can you answer that for me? What harm have they done?

Mr. Sweeney: Well I think basically there's an enormous aesthetic thing. Now I kind of have a stumbling block. To me the visual impression of a high rise is directly opposite, the antithesis of the Village environment of a , let's not call it rural, but the character of the community that I have grown up with and that I have worked for some time to try and preserve. I think the attempt to put high rises in the Village is simply an outgrowth of urban pressure and we're trying to develop the Village or an area when you put high rises in. It just changes the aesthetics completely. In terms of what's wrong with high density development, there's nothing wrong if they're well planned but when you try and fit existing 50 year old public utilities to accomodate 10 and 12 story buildings I think you'd have lots of problems with water supply, you'd have problems with fire access, problems with the sewers being able to accomodate such peak flows from concentrated sources. I don't know in the long run what the economics, the land value whether it turns out to be more of an asset to the community to have dense development, but I think in many cases the increased assessed valuation is more than offset by the increased community services demanded by high density development in terms of refuse disposal, in terms of police protection, safety, parking. I see a lot of liabilities to high density development.

Trustee Kibby: Okay. You had another point?

Mr. Sweeney: Yes. More parks. Mr. Mothersead spoke earlier about not likely much of a need to encourage industrial expansion in the

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, November 14, 1983 at 7:37 PM

Village and the possibility of down zoning, or discouraging continuation of industrial useage along California Drive and I would support that and in that same area I see the possibility of connecting the existing Long St. Park with what has been shown on the Village map as a Village park, but it is simply vacant land, by use of a connecting strip to connect those park areas, which would obviously be an improvement or simply an imaginary property line or dividing line to separate residential and industrial uses. Park area is definitely a suitable buffer and the opportunity appears to be coming up. At the same token you could extend access to those two park areas all along the railroad right-of-way to Cayuga Rd. That really deals with parks.

PUBLIC
HEARING

MASTER
PLAN

Trustee Kibby: I think the first idea - and I'm not trying to usurp anyone else - I think your first idea may be somewhat new and your second idea about parks, the extension of that park, alternative accesses, alternate accesses, is under discussion at the moment. Not with Mr. Mothersead but among the Trustees in light of purchase of that property.

Mr. Sweeney: I do see it as an option that is realistic now and could be made a part of the map.

Trustee Kibby: The idea of somehow connecting those two parks along, I guess connecting the western edge of Village Park and the eastern end of Long St. Park, if you look at that map I guess it sounds interesting. Whether it's at all practical is another question. But I hear you.

Mr. Sweeney: Thank you. That's really about all I'd like to comment other than I do see some kind of internal conflicts in the plan itself speaking of strip development and population densities or the idea of a specific population level being maintained in the Village in order to maintain the viability of the commercial district. There's a whole line of reasoning in there that I'm not sure that I entirely agree with and have been looking at a number of Erie and Niagara Regional Planning Board projections, State Water Quality Management projections, etc. that still show the Town of Amherst and Village of Williamsville as areas subject to some further population increases before there is a leveling off and I've seen the '70 and '80 census figures and the decline in Village population between 1970 and 1980 has been rather widespread in Erie County and in New York State. New York State itself has lost population. So I think we're seeing obviously some statewide and national trends and I think if we try and look at this only as a Village phenomenon we're likely to overreact and feel that we must go to high density, high rise development in order to maintain our population level. I really don't see much of a problem in a decrease in the population level in the Village, nor do I see that the Village can counter regional and statewide population trends without some detrimental effects on itself that aren't recognized in this report.

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, November 14, 1983 at 7:37 PM

Trustee Kibby: However - I'm just debating this with you, I'm not taking a stand - and yet if you look at those figures a little more closely there's no doubt we're not going to stem the tide of the exodus of people from Western New York, but when you look at the population decrease I think you also have to go down and look at the number of units. The population decreased 817, 818 but the number of housing units went up 212. So it isn't just the loss of people. It's the fact that the loss of people is coupled with an increase in housing and I don't think, I guess I'm not arguing with you about the population decrease. I'll give you that. But what's even a bigger problem is the fact that the number of people per household - on another Board on which I sit this is a horrendous problem which you or most of you here - it has been going down. I don't have any data to tell me it is going to turn around.

PUBLIC
HEARING
(Con't)

Mr. Sweeney: No. I don't believe that that trend is going to turn around either, but I think the idea of increasing housing units, increasing the density of housing units in the Village in order to maintain the population level of 6,500 or 5,000 or any set number may not be completely thought through. There may not be the adverse consequences of dropping a couple of thousand. There are other villages in New York State, in Erie County, with significantly smaller populations than the Village of Williamsville and they haven't gone out of existence and I'm just trying to make my own point that I don't think we should overreact to what is a 10 or 20 year trend in this area versus a community that is more than 100 years old and would hopefully continue for more than another 100 years.

Trustee Kibby: So I hear you saying if we drop down to a population of 4,000 we ought to be asking ourselves, so who cares.

MASTER PLAN

Mr. Sweeney: Exactly.

Trustee Kibby: Not cynically or sarcastically. It's a reasonable question.

Mr. Sweeney: Thank you.

Trustee Law: You mentioned, I thought I understood you to mean that the decline in the average persons per unit in these tables here was a horrendous problem. I was wondering in what ways it was a horrendous problem.

Trustee Kibby: It's a horrendous problem if you want to keep the population in the Village at about the same level, which you can't do when you have no other places to build. Now the questions that Rich Sweeney is asking are good questions. So who cares if the population drops to 3,800, 4,200, 4,300. Those 3,800, 4,300 people will of course be paying property taxes which means they're going to have a bigger chunk if we decrease housing.

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, November 14, 1983 at 7:37 PM

Trustee Law: You can't set the standard though by saying that if the population is going to remain constant these are not horrendous and if you don't care about the population maybe this is not a, such a horrendous problem.

PUBLIC
HEARING
(Con't)

Trustee Kibby: Maybe we don't care about the population. I'm saying to Rich it's a darn good question to think more about.

MASTER PLAN

Trustee Saia: Mike, I've got a couple of question I'd like to interject here seeing it was entertained by Mr. Sweeney. I approve of his answer to you on high rise and I think that's the way I feel about it. I was elected by a party that's anti-high rise and I feel very strongly about this. So let there be no question about that. And I also went around with petitions. But I, something just - this here says Economic Consultants report. Now without - I think you've done a tremendous job on the information you supplied. I got to question something. Now this thing's cost us about \$20,000. I know you came in about halfway - more than that? Okay. Two-thirds of the way? Somewhere in there?

Mr. Mothersead: Better than half of the way, about three-quarters.

Trustee Saia: So this gentleman didn't come in and make the initial start of this program. Now also the people on this Board, some of us were not here. Some of us have no input in this and I'm speaking of at least two of us - and I don't know about you Mike, but I think there's Larry and myself - and we haven't had too much to put into this except maybe some reservations on some of the ideas. I think Larry here was on the inception probably on the Planning Board when he was on the Planning Board before he became a Trustee. He had some input in it. And I know the Planning Board has had some input. Who else has had input? Has the commercial area had input? Have the major parties in this Village had any input? Have any of the residents had any input? You know that's a question I must ask. Now the other thing is I know that Economic Consultants...

Mr. Mothersead: Excuse me. Do you want me to respond, Jim?

Trustee Saia: Okay. Yeah.

Mr. Mothersead: Thank you. Well I'd just say as part of the commercial evaluation we did a merchant survey and we went out and gathered information both by telephone and by personal interview of attitudes, opinions and needs that the commercial sector has which has helped us come up with some of the concepts and some of the designs for the development plan only. The only public input is via the Planning Board which are open meetings, and of course this forum right here.

Trustee Saia: Again, that's the point I'm trying to bring up. Some people have come up and had some good points here. Now the other thing was I wanted to ask you is this Economic Consultants report. First of all I've got a sheet here that says master plan

and I've got all the cover sheets and it also has, here it says public hearing comprehensive planning study. Now I can't correlate whether this is a comprehensive planning study or tonight we're talking about a master plan. Now if we're talking about a master plan I have in detail gone through the parking plans of this Village that somebody drew up - I know it wasn't you - but somebody drew this up. The errors that I find in the parking are horrendous. Now if somebody has figures and I didn't count the actual parking spaces, but somebody did, but I went through at least 10 of these sheets and went and checked the parking spaces that I know. Some of these parking spaces are in the street but the present parking spaces, not the ones that say you're gonna have if you make some changes, some of these areas that you can't make any changes, some of the parking spaces are not what shows on these. The same as some of the streets, that's the old map, some of these parking spaces. Now I happen to have been a property owner at the time when I got called by someone - I don't know if it was you, probably it was the guy that made this map, because he asked me how many parking spaces do you have and I said what property, he mentioned the property and I told him. That is not how many parking spaces were put on the map.

MASTER PLAN

Mr. Mothersead: Hold on a second. That's very clear. It's easy to see. These maps are recommendations. The development plan is a recommendation for what can be done with the property as it is laid out within the curb cut and the sidewalk and property lines. The actual number of spaces, what was used for the analysis that forms table 2 and table 3 and those came from direct surveys that our firm made of each and every parking space and how they were being actually parked. Except one - Bells.

Trustee Kibby: They threw you off.

Mr. Mothersead: But I know each and every one of those because I can give you the raw data, the coding and the actual graphics that were put together. But these aren't existing. They are what our suggestions are on how to restripe, reorient and make improvements of each and every one of the areas.

Trustee Saia: I understand and I'm saying there's no way you can do it on some of these maps and some of these drawings. There is no way you can come up with the parking spaces unless you want to take down a building. Then you could probably put in more parking spaces.

Trustee Kibby: Excuse me, Mr. Saia. As a matter of fact one of them that he put on the Board, the Pancake House, the parking spaces that are there he indicated quite clearly that they could only be put there if somebody buys the Pancake House and tears it down.

Trustee Saia: I understand the part behind the fire hall. It's perfectly clear to me. I'm not talking about those. I'm talking about the lots you can't do anything with. You've got parking spaces there that are not there, and that possibly there are some

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, November 14, 1983 at 7:37 PM

there that you've got parking spaces and there's no way you're going to get in a parking space and I can show you. The other thing I was going to ask you is this.

PUBLIC
HEARING
(Con't)

Mr. Mothersead: Would you like to see what I have?

Trustee Saia: Now the other thing is you have, Mr. Mothersead, I would like to know the back...By the way this sheet that I got, remember we were mentioning the name who made the sheet, it doesn't have your name or your background or what the assigned mission was.

MASTER
PLAN

Mr. Mothersead: Oh, you mean the handout over there?

Trustee Saia: No. We got your name on the original. You passed out about 25 to the residents, copies of your master plan.

Trustee Kibby: It says Economic Consultants Organization. That's it. That's who's doing the survey.

Mr. Mothersead: That is who is responsible for that, my company.

Trustee Saia: Oh, that's your company.

Mr. Mothersead: Yes. That's who the Village contracted with. The information that was handed out was excerpted from what was recommended to the Village Board by the Planning Board.

Trustee Saia: That's all I had.

Trustee Kibby: There's no question about the qualifications of Economic Consultants Organization or Mr. Mothersead. There may be some differences of opinion as to what he suggests and I may be the first to do it, but I think it should be indicated at this time, and I wish any Trustee who was there would correct me if I'm speaking incorrectly, that we did not try to stifle Economic Consultants Organization or to limit to a great degree the perspective and creativity that Mr. Mothersead would bring to this plan. There was some, a great deal of molding and shaping of each other by the Planning Board and by Mr. Mothersead so that he certainly did have an excellent view of, perception of the Village by the Planning Board but he also brings to the situation training and experiences that maybe will be better than those of the Planning Board in predicting the future and the future needs. I might also add that Mr. Mothersead also lives in something that is a quasi-village in a, what I guess would be a low density housing area. Anything else? Mr. Hill, and before you go Mr. Hill there's a lady behind you and then you Mr. Hill.

Mrs. Diane Clark, 198 Monroe: In the flood plain area. I'd like to ask a procedural question and that is how far has this gone? Are there going to be any more hearings? Do the residents in the Village vote on it, or do you all vote on it? How does it go?

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, November 14, 1983 at 7:37 PM

Trustee Kibby: There are two ways it could have been done. One is the Planning Board itself could have received this with a public hearing just as we're doing. The Planning Board didn't do that so in this case it's going to be the Village Trustees. In these kinds of situation it's usually 50-50. Half the time the Planning Boards do it and half the time the Trustees do it. The Trustees will, are hearing this public hearing obviously, and I hope it appears that we're listening to you, and then meeting among ourselves and again with Mr. Mothersead. There may be redirection to Mr. Mothersead, suggestions. There may not be. Maybe we just accept it the way it is. We didn't discuss this at our work session earlier this evening, which is always public, that will we have another public hearing. At this particular moment I don't think I can answer that question, but on the other hand if there are some sizable changes from this, there definitely would be another, there would probably be another public hearing.

PUBLIC HEARING
(Con't)

Mrs. Clark: Well not everybody gets the Bee and not everybody knows about this, and most of our neighbors had no idea this was going on, and I think, you know, if a little more publicity were given out you would have had more people here. The other question I had, or comment was that I totally agree with Mr. Sweeney's comments on the high rise. I thought that battle had been fought and to see it popping up again in a master plan which has quasi-legal, you know, ramifications it's kind of scary. So maybe that should be discussed a little more. Also, the - one of the major changes is the closing off of Rock St. and the parking of vehicles back there. I think the gentleman said that when he was meeting with the Planning Board that they had already received a Cayuga, request for changes on Cayuga. How far along will that be if the master plan is adopted? For instance, the Bean Sprout is there, you know the building. You don't have it on the master plan. You kind of said it would mean the elimination of this building. How far along would that be if this was adopted?

MASTER
PLAN

Trustee Kibby: Well, the way I read it - correct me if I'm wrong - it'll probably be right down to the Bell office - or not that far? No, it doesn't. It ends at Spring. One or two houses south of Spring.

Mrs. Clark: I think you misunderstood me. I mean how far along would the plans be to convert that into a plaza if this was adopted?

Trustee Kibby: Oh.

Mrs. Clark: What then would it take to take down the Bean Sprout and put in parking places.

Trustee Kibby: No more than a good idea. Okay?

Mrs. Clark: It sounded like that was a real high point of the plan.

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, November 14, 1983 at 7:37 PM

Mr. Mothersead: I was just showing that there was consistency with what the private sector was attempting to do and what we had put together in the plan were two different points of view. That the private sector had said this is a good idea for commercial on here but they were not talking about putting in a plaza. They were simply talking about converting one of the houses from residential to commercial.

PUBLIC HEARING
(Con't)

Mrs. Clark: But that would go into the master plan.

Mrs. Mothersead: It would be consistent with it, that's for sure. We're calling for something a little more ambitious than that though. And there are no real plans per se. No engineering, no architectural plans to accomplish that at this time. It is, as Mike said, an idea.

MASTER PLAN

Trustee Kibby: There is also to my knowledge no developer sitting out there with a huge pile of money waiting for this to happen, waiting for this concept to be adopted so he can come in and do it. This is...

Mrs. Clark: But I assume everyone would get adequate notice that there was a pathway coming up from Glen Park next to the Mill and that the Bean Sprout was going to be bulldozed and that high rises were going up over the park, to block out sunlight from the trees.

Trustee Saia: Mrs. Clark I must say this that I think before anyone can take any part of Glen Park, because that was federally funded, there would have to be an act of the legislature. Am I correct?

Mrs. Clark: But the plan doesn't really take Glen Park.

Trustee Saia: It goes over the top and that's really like taking it.

Mrs. Clark: It can be cantilevered out so it's not really Glen Park. It's the air above it. I don't know if that's like mineral rights, you know, what goes with the federal funding.

Trustee Saia: I'm pretty sure it would be.

Trustee Kibby: I wouldn't - I spent a lot of time in Chicago and Grants Company donated a whole slug of land to the City of Chicago which had railroads on it, but that's it. Everything from Michigan to the river, to the lake, was to be protected. They did fine. They protected it. You can protect the land, you just can't protect the air the Supreme Court said. So they built over it. It's an interesting question but I think an even more interesting question is the one that this gentleman here, who lives on Reist St., brought up even earlier and that is suppose this - and I'm just thinking out loud - but suppose this concept for this particular core area is adopted with or without that extending

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, November 14, 1983 at 7:37 PM

over the park, with or without the high rise, but suppose the commercial emphasis in that whole area is adopted. The real question's going to be put to the Planning Board and the Village if somebody wants to start that project by just doing a little piece which then I think creates somewhat of a problem between that little piece and the residents who live around there. But on the other hand you have that other problem. If you don't start it you're never going to get any further and one way to handle that is to simply let it go. Let's just leave it the way it is and let nature take its course for the next 30 years. That I think is also an unreasonable situation.

PUBLIC HEARING
(Con't)

Mrs. Clark: No I understand that but coming from the southeastern end of the Village, which is part of the Homeowners' Association of the Village too, where we have our largest concentration of members and being involved in a court case about rezoning where the master plan has ended up having nothing to do with it. It was zoned as residential on the master plan but that made no difference in court or otherwise, I think I'm a little leary and so are my neighbors and I think probably residents of the Village, from other parts of the Village, about having to rely on the goodwill of the particular Trustees and the Mayor in office at the moment so that when you do a master plan you've got to be very careful because you don't know who's going to be elected next election and this becomes even more important for us then it would say before the court case instance in the southeastern area. I think everyone is very much aware that if you get something good you want to make it as legal as possible but you want to make sure it's just about perfect before you do and a lot more thought probably should go into it. You know, I think for instance the street names could have been cleaned up before we got them. I mean it's a little thing but it counts and I agree with the Trustee, the gentleman who said it would have been nice to have the gentleman's qualifications on the sheet of paper, not that we mistrust, well maybe we do because we've been burned but I don't think it's a lot to ask. It's a lot that you're asking, you know, for us to accept something like this. So as much information as you can give to us would be not only appreciated but probably in the long run demanded. Thank you.

MASTER PLAN

Trustee Kibby: Mr. Hill. Then Rich Sweeney.

Mr. Hill: Actually this is the same thing I brought up before but I went back to my seat and I got to thinking well what did they tell me. I have this map on page 20 which puts me in an R-2 zone if this is adopted.

Trustee Kibby: Wait a minute. Mine is not numbered. Would you show me your map? It's the present zoning map.

Mr. Hill: You mean I'm zoned R-2 now?

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, November 14, 1983 at 7:37 PM

Trustee Kibby: You are presently zoned R-2.

Mr. Hill: What is that? Single family?

PUBLIC
HEARING
(Con't)

Trustee Kibby: Single family.

Mr. Hill: I thought it was R-3.

MASTER PLAN

Trustee Kibby: No R-3 is multiple family. R-2 is single family.

Mr. Hill: Okay. Because I was worried about that.

Trustee Kibby: That's the present zoning map.

Mr. Hill: Okay.

Trustee Kibby: That answer your question, Mr. Hill?

Mr. Hill: Yeah. I still, I'd like to ask this question on that park there. You say that there isn't any legal thing that can stop us from doing that?

Trustee Kibby: I'm sorry. I don't understand the question.

Mr. Hill: The building they're building out over the park is taking part of the park. What kind of foundation to hold the building up, so they're going to have to use part of the park area to put that building up.

Trustee Kibby: No. All I was doing is saying to Mrs. Clark that it's probably nebulous what can or cannot be done. I'm not saying it can, I'm not saying it can't, I'm not saying we should, I'm not saying we shouldn't. All I'm saying is you can think you're well protected by a deed that's been there for nigh onto 80 years and find it changed. I don't know.

Mr. Hill: The other thing that you mentioned the development background of high rise.

Trustee Kibby: Excuse me, what?

Mr. Hill: You didn't see anybody standing back there to develop a high rise building back in there and we had to fight to get the park. There was a group wanted to put high rise there and there's still money there that'll go for a high rise. The minute you get the zoning they'll start building the high rise tomorrow. And you know who they are.

Trustee Kibby: No I don't.

Mr. Hill: Well I do.

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, November 14, 1983 at 7:37 PM

Mr. Sweeney: Bear with me. Some people like to hear themselves talk this evening. I don't know what your contractual arrangement^o is with Economic Consultants but we use quasi a lot. As a quasi-public official I've dealt with master plans and consultant reports on numerous occasions. Could the Village please arrange with the consultants for them to turn over at the conclusion of their work a reduceable quality mylar or master copy so that sometime in the future should the Village want to adopt it and make it available to somebody they can do it rather than needing to go back to the original consultant at a rather significant fee to make an extra 20 copies of whatever it is you accepted from him.

PUBLIC HEARING
(Con't)

Trustee Kibby: I remember something to that effect in the original contract but I can't quote it right now.

MASTER PLAN

Mr. Sweeney: Okay. Thank you.

Trustee Kibby: Why don't we end it right there unless there's anyone else who has a pressing question.

Trustee Brenton: I'd like to comment on it. I think that there's a great deal of concern here regarding any development over Glen Park and of course this is possible. Frank Lloyd Wright, one of our most famous architects, came up with a cantilevered design many years ago. However, in my mind it's not possible in this community even though I do admire and did study Frank Lloyd Wright many years ago, in particular a residence which is located in Pennsylvania and is a very beautiful residence. I don't think that anyone on this Board, although I'm certainly not able to speak for all of us, has any desire or design to build over Glen Park and I think that then we go back to what we have here and the question arose what do we have. Do we have a master plan or do we have a comprehensive planning study? So that actually what we've got is a draft and I think, if I understand it correctly, if we decide as a Board of Trustees to adopt it as a master plan then perhaps we would commit ourselves to some indication of the direction to development in this community in the future. But at this particular stage of the game, and regarding the qualifications and background of Economic Consultants, etc. I think what has been provided here is something for us to work with which was the original intention way back when I was on the Planning Board, to provide the Planning Board with some tools to work with, and somehow it grew into this master plan which I always and still do resent because I think we've had enough master plans. However, I am to the point now and for the satisfaction of much of the, what is included and presented here to deem this in my mind a master plan to vote on it with certain deletions which I'm sure the rest of the Board will consider, and support. One of them would be the development over Glen Park. It's just inconceivable to me. Regarding high rises, I don't know. I know that I am against high rises but I'm not sure what a high rise is. To me a high rise is some building

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, November 14, 1983 at 7:37 PM

maybe eight stories. I think I almost could live with six stories. And so, therefore, I have to demure as to, or obtain direction perhaps from some members of the community as to whether or not six stories is high rise or four stories is high rise, or what. But it's indicated that we can have some development of other than a one-story nature, or two-story nature. Well I'll have to find out about that. That seems to be a relatively good idea. Six stories is maybe too high, eight stories certainly is too high. I need input regarding that.

PUBLIC HEARING

Other than that, I do believe that Mr. Mothersead and anybody that worked for his firm has done a very good job here because I have followed this thing along from day one, although before the original consultant was hired I became a member of the Board of Trustees, and it certainly has grown considerably from what we wanted and needed as a Planning Board. What we wanted was aerial photography, some direction for parking, strip photography of the Main St. business fronts, and some things like that which we knew, or anticipated to cost \$10,000 to \$20,000, and now we've gone way over that, not as a result of any failure on the part of Mr. Mothersead's firm, but probably as a result of inability of the previous firm to perform as we anticipated them to. So I think that I want everyone leaving here, in my mind, as to, with the feeling that we will again, again in my mind, discuss this, I would assume in the form of a public hearing and at time it would center on a revised version and a somewhat concentrated version of what we see here and certainly a more thorough rendition. I consider this to be the draft form of what will later be developed. And that's all I have. Thank you.

MASTER PLAN

Trustee Saia: Oh, Mike, just one more word, please. It kind of behooves this Board, because it's been said over and over again in the past what this gentleman from 31 Reist St. said. He likes living in the area with a single home and he wants to live there the rest of his life and I think, myself, I feel that way about it and sitting on this Board, and I know there's other Board members that feel the same way and many of our constituents feel the same way too.

Trustee Kibby: Larry.

Trustee Law: This idea of a master plan is, I feel that I'm a late-comer on the scene. I did not institute petitions against the high rise or something. That was before my time. But this master plan makes me nervous. I hear that it's, or it's been said that one these are merely suggestions, but to me it would seem like this is a whole way of thinking of how the community plans to develop itself over the next years, over the next few Boards and I don't like the idea of seeing high rise in here. Six or eight stories, that's a high rise to my way of thinking. I think that we have a certain quality of life in the Village. That's one of the reasons I like the Village. But you don't just see high rise buildings all over the place and I would rather not

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, November 14, 1983 at 7:37 PM

see that. The idea that this is even in print in this comprehensive study or master plan proposal bothers me and I just do not like to see it there. Obviously there was a lot of work done on this but I think that we have to go and consider it very carefully before I could go for it.

PUBLIC HEARING
(Concluded)

Trustee Kibby: Thank you. Hearing no further rush to the microphone...

MASTER PLAN

ON MOTION by Trustee Kibby, seconded by Mayor Kuzon, the hearing was closed at 9:50 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer