

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in Amherst Town Hall, 5583 Main Street, Williamsville, New York on Monday, July 28, 1986 at 7:31 PM

Roll Call	Present	Gordon J. Kuzon, Mayor
		Richard Baer
		Carolyn Schlifke Trustees
		Theresa L. Cummins, Village Clerk
		Thomas V. Troy, Village Attorney
		David Laubisch, Dept. of Public Works
	Absent	Lawrence Brenton
		Michael Kibby Trustees

Mayor Kuzon called the meeting to order at 7:31 PM.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, the minutes of the Regular Meeting held June 23, 1986 were approved.

Unanimously carried.

Mayor Kuzon said the next item of business was a public hearing.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, it was moved at 7:33 p.m. to open the public hearing regarding the request for an Exceptional Development Permit by the Little White House, 5877 Main Street, for commercial parking on a residentially zoned lot. (The hearing was closed at 8:00 p.m.)

Unanimously carried.

Mayor Kuzon reported that last year he was on the Executive Committee of the New York State Conference of Mayors and the new President, Lou Manguso of Fredonia, has asked him to stay on the committee this year.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, vouchers in the amount of \$115,759.61 were approved for the period covering June 24, 1986 thru July 11, 1986, as follows:

Payroll Fund	W/E 6/27/86	\$ 10,685.16
	W/E 7/3/86	7,219.25
	W/E 7/11/86	<u>6,938.41</u>
Total Payroll Fund		\$ 24,842.42

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Payroll Fund	(From preceding page)	\$ 24,842.42
General Fund	Abstract #611	47,802.84
Sewer & Water Fund	Abstract #192	30,518.23
Trust & Agency Fund	Abstract #229	4,004.87
Glen Park Jt. Activities	Abstract #130	1,533.93
Capital Fund	Abstract #158	3,113.52
Community Development	Abstract #99	<u>3,943.40</u>
Total Vouchers		\$115,759.61

The larger vouchers were to Erie County Water Authority, Niagara Sanitation and Marine Midland Bank.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Schlifke, vouchers in the sum of \$412,000.11 were approved for the period covering July 12, 1986 thru July 28, 1986 as follows:

Payroll Fund	W/E 7/18/86	\$ 7,469.77
	W/E 7/25/86	<u>11,179.52</u>
Total Payroll Fund		\$ 18,649.29
General Fund	Abstract #612	49,448.82
Sewer & Water Fund	Abstract #193	291,693.21
Trust & Agency Fund	Abstract #230	9,106.96
Glen Park Jt. Activities	Abstract #131	77.65
Capital Fund	Abstract #159	41,418.12
Community Development	Abstract #100	<u>1,606.06</u>
Total Vouchers		\$412,000.11

This includes our payment to the Town of Amherst for sewage treatment in the amount of \$291,000, a payment to TR Services, to Louis Migliore for work done on the Village Municipal Building, and to G & F Concrete for sidewalk work.

Unanimously carried.

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

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RESOLVED that the following Williamsville Firemen are hereby authorized to attend the following training schools:

1. Kent Swarts, Christopher Petrie and Mark Kardamen to attend the Scott Air Pack Maintenance School at Montour Falls, New York on July 12 and 13, 1986 at a cost not to exceed \$150.00 each;
2. James D. Olivieri and James Zymanek to attend the Niagara Mohawk Safety School in Oswego, New York on August 22-24, 1986 at a cost not to exceed \$175.00 each.

Unanimously carried.

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

RESOLVED that Sharon S. Townsend, Village Justice is hereby authorized to attend the New York State Association of Magistrates Conference and Training School in Ellenville, New York from October 19-22, 1986 and the cost, not to exceed \$400.00, to be paid by the Village of Williamsville.

Unanimously carried.

Mayor Kuzon said his fifth resolution rejects the bids that were received for work on the Orchard Place and Franklin St. water line project. These bids were opened on July 10th. The lowest bidder came in at \$113,000. We have rejected the bids for two reasons. One, the engineer had estimated the cost to be about \$60,000 and two, we feel by rejecting the bids we can offer it again during the winter months when we are likely to get more competitive and lower bids. We had only received three bids. We will go back and award them some time this winter.

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

RESOLVED that all bids received and opened on July 10, 1986 for the Orchard Place and Franklin Street waterline replacement project are hereby rejected.

Unanimously carried.

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Mayor Kuzon said his next resolution deals with appointing sidewalk inspectors. If you live on Hirschfield Drive you know that the sidewalk rehab program has started as of about two weeks ago and the Village feels for our interests we need someone to represent our interests while this work is being done. We are going to appoint two part-time inspectors who will be on the job to inspect the quality of the work and concrete and they will also handle residents' problems regarding restoration and quality. This program should last all summer.

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

RESOLVED that Robert Fischer, 45 Hillside Drive, is hereby appointed Sidewalk Inspector and George T. John, 221 North Linden Street, is hereby appointed Alternate Sidewalk Inspector for the 1986 Sidewalk Repair Project at the rate of \$8.00 an hour.

Unanimously carried.

Mayor Kuzon said his seventh resolution is a change order in the contract to G & F Concrete for the sidewalk reconstruction project. Apparently when the bids were drawn something was omitted and we would like wire mesh under the sidewalk at the driveways and this was not included in the original specs. Therefore, we want to include it now so we need this change order.

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

RESOLVED that the contract awarded to G & F Concrete Construction be increased to include installation of 6 X 6 6/6 wire mesh at driveway locations and edge of pavement throughout the project at a cost of 50¢ per square foot, with the understanding the mesh is to be raised within the concrete.

Unanimously carried.

Mayor Kuzon said his next resolution appoints engineers to be the project engineer on our improvement to the Cayuga Road water line.

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

RESOLVED that Tallamy, VanKuren, Gertis and Associates, Orchard Park, New York are hereby appointed to design and prepare bidding documents for 324 feet ± of replacement

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waterline on South Cayuga Road, as well as provide inspection during construction of the project. The cost of these engineering services are not to exceed \$2,875.00 plus the costs of subsurface borings and inspections at \$25.00 per hour, per their proposal of July 8, 1986.

Unanimously carried.

Mayor Kuzon said the next resolution calls for a public hearing on our new Fence Code with regard to amending it. This amendment relates to exterior side yard fences. At the time this was offered for approval amendments were offered from the floor for a change in some sections of the code, and there appears to be a problem with the wording of the section.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held on August 24, 1986 at 7:30 p.m. for the purpose of hearing all persons on a proposed local law which would amend Section 14.40(a)(2) of the Village Fence Code regarding exterior side yards.

Unanimously carried.

Mayor Kuzon said his 10th resolution deals with a change order for the Village Meeting House. Our contractor, Higgins-Kieffer has done substantial work over there and part of the work is not within the original scope of the project, and ~~concerns~~ concerns rebuilding and demolition on the chimney at the rear of the building. They rebuilt about 7½' of the chimney.

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

RESOLVED that Change Order #7 with Higgins-Kieffer Inc. for Village Meeting House is hereby approved in the amount of \$3,066.00. This change order includes demolition and rebuilding of approximately 7½' of existing chimney on the north wall of the building.

Unanimously carried.

Mayor Kuzon said his next resolution deals with a change order for the Island Park bridge. The original specs left out some things such as concrete approach work and some caps on the wing walls, etc. The original contractor has done the work because we only had one meeting scheduled this month and couldn't approve it until now. We did know in advance of this and this formally approves it.

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

RESOLVED that Change Order #2 with Nichter Associates is hereby approved for the Island Park Bridge. This change order includes the installation of concrete drives, concrete sidewalk, concrete wingwall caps, gravel subbase, wood guide rails and modification to existing drives, walkways, etc. to provide a smooth transition between the existing site conditions and the new bridge. Payment is to be time and material required to complete the work, but not to exceed \$10,000.00 total cost.

Unanimously carried.

Mayor Kuzon said his twelfth resolution is a change order for the Los Robles/Cadman Drive Storm Sewer project completed last spring. In the process some utilities to be moved were not included in the original bidding documents and this pipe was moved. The contractor and our engineer, URS, have corresponded regarding this cost for removal of the pipe. The contractor had an original estimate of about \$10,000 and the engineer determined that the cost for the work should be \$7,737.80 and this is the amount of the change order.

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

RESOLVED that Contract with Milherst Construction Co., Inc. for the Los Robles/Cadman Drive Storm Sewers is hereby increased in the amount of \$7,837.80 to cover extra work performed in conjunction with the relocation of existing utilities and authorized additions to the extent of the contract requirements. These changes have been approved by URS Engineers on July 3, 1986.

Unanimously carried.

Mayor Kuzon stated his next resolution was to be for change orders for our new offices and the fire truck bays but the architect has reported that he has no change orders at this point.

Mayor Kuzon said his last resolution deals with the fact that we will receive about \$6,580 in additional Community Development Funds for the 1986-1987 period. Typically we allocate this money to many different projects but one type of project which has received a lot of our attention and a fair share of the CD money are our water lines and their reconstruction and rehabilitation in the target area and that's what we are proposing to do with this extra money.

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

RESOLVED that \$6,580.00 additional 1986-1987 Community Development Funds that have been allocated to the Village of Williamsville are hereby designated to the reconstruction of water lines in the Village of Williamsville Target Area.

Unanimously carried.

Trustee Baer reported that the Village pools are now open on a regular basis - Monday to Friday 10:00 a.m. until 8:00 p.m. and on Saturday and Sunday from 11:00 a.m. to 8:00 p.m. per Village residents' request and the pools are now covered by attendants 100% of the time.

Trustee Baer reported that as a result of some residents' complaints on Mill Street regarding swimming and trespassing, signs have been installed in Glen Park notifying people that going into the creek is trespassing and that there is no swimming. He thinks a combination of the signs and the increased hours of the security guards in the park have helped to alleviate that problem.

Trustee Baer reported that Councilmen Moses and Kindel and he met with Captains Klafka and Askey and Mayor Kuzon as well as representatives of the town Youth and Recreation Departments trying to develop an overall plan to help alleviate the problems of youths congregating in our parks. Fortunately Garrison Park and Island Park have been relatively quiet as a result of excellent security patrols and activities being carried on in the parks. The police have promised additional patrols in Glen Park and perhaps in conjunction with some programs we can perhaps develop some alternatives to those who have nothing better to do than hang around the northeast parking lot at Glen Park.

ON MOTION by Trustee Baer, seconded by Trustee Schlifke, the following resolution was adopted:

RESOLVED that John William Richard Haefner and Andrew McGarva are hereby appointed Seasonal Pool Attendants for the Island Park and Garrison Park pools effective July 15, 1986 at a rate of \$3.45 per hour.

Unanimously carried.

Trustee Baer said his second resolution deals with our contract with Town's Ambulance Service. They have informed the Village that they can no longer obtain general liability and professional liability insurance in the amount that was called for in our previous contract and that also due to increased costs there will be a slight increase in their fees charged for services.

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ON MOTION by Trustee Baer, seconded by Trustee Schlifke, the following resolution was adopted:

WHEREAS Town's Ambulance Service, Inc. has informed the Village of Williamsville that it can obtain only \$1,000,000 of General Liability and Professional Liability insurance coverage, and

WHEREAS Town's Ambulance Service, Inc. has determined that it is necessary to increase their rates for service performed in order to maintain their economically viable status, and

WHEREAS it is in the public interest to maintain the service provided in accordance with the contract dated 11/1/85,

NOW, THEREFORE, BE IT RESOLVED that the contract between the Village of Williamsville and Town's Ambulance Service, Inc. dated the first day of November, 1985 be amended to reflect the reduced insurance limits of \$1,000,000 for General Liability and Professional Liability and further that the rate schedule be modified to reflect the rate of \$128.50 for basic service and \$175.00 for paramedical service, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a contract amendment.

Unanimously carried.

Trustee Schlifke said she had no report tonight but did have two resolutions. The first resolution deals with clarifying the wording in our code relative to Main Street parking time limits.

ON MOTION by Trustee Schlifke, seconded by Trustee Baer, the following resolution was adopted:

RESOLVED that Local law #6 - 1986 Amending Section 60.32(21) of the Traffic Code regarding Main Street parking, which was the subject of a public hearing on June 9, 1986, is hereby adopted.

Unanimously carried.

ON MOTION by Trustee Schlifke, seconded by Trustee Baer, the following resolution was adopted:

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RESOLVED that Mayor Kuzon is hereby authorized to execute the 1985 STOP-DWI Court Component Contracts between the Village of Williamsville and the County of Erie.

Unanimously carried.

Superintendent of Public Works David Laubisch stated he had no report tonight.

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

Unanimously carried.

Mr. Richard Hill, 18 Brookside Drive, said he was speaking on behalf of the Williamsville Southeast Homeowners Association. He had been requested to ask three questions. The first was whether International Chimney had permission to dump and store material on Village property. Mr. Troy said they could do so on the land that was leased by them from the Village. Mr. Hill said that would just be the area around the station. Mayor Kuzon said there is a storage shed in the rear. The Village will check on it.

Mr. Hill asked if there were any restrictions on what they could store or dump. Mayor Kuzon said he did not know of any.

Mr. Hill asked if the Village had insurance protection if anyone were injured because of the things that were dumped and stored on Village property. Mayor Kuzon said the Village carries insurance on our property.

Mr. Hill presented a picture showing stored material on an area they are not leasing from the Village. Mayor Kuzon said the things shown in the picture are now gone. Mr. Hill said this type of material comes and goes. Mayor Kuzon said he and Trustee Kibby had talked to Mr. Lohr before and maybe they would have to speak to him again about this. Mr. Hill said the neighbors are getting sick of this and would like to see some Board action so they keep their things where they're supposed to be.

Mr. Thomas Molbilia of Louis Migliore Construction was present. They are doing the work on the Williamsville Municipal Building. He asked if they could be paid for the stored material they need for work on the building. The specs say they don't get paid for stored material. He has never seen this in specs before. If they don't get paid for the material while it is stored they can't order it ahead of time and there could be delays in obtaining materials if they have to wait until they need them to order them.

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Mayor Kuzon said he had received a letter from Jim Migliore regarding this point and it will be discussed in our post-meeting work session and find out what the Board's feelings are on this matter - changing the specs or going on a case-by-case basis. He invited Mr. Molbilia to come back to the Board's work session after tonight's meeting and he could discuss it with them then.

Mr. James Migliore stated they have done municipal work in Western New York and for the federal government and they all pay for stored material. This is the only time they have run into this. Mayor Kuzon invited him to come to the work session also.

Mr. Hill said he was wondering what the hold-up is for paving on Columbia from Wehrle to Brookside. He understands it is not going to be paved this year. Mayor Kuzon said it is not on the paving schedule. Every year the streets are evaluated in the spring to see how they have fared over the winter and which are in most need of repair. Some years we expect to pave certain streets but sometimes the winter is harder on some streets than on others and the order of repair has to be changed. Mr. Hill said he understands that Monroe from Scott to Wehrle will be done. That street is not as bad as Columbia is. Columbia is sitting there with ditches in it. He said he asks every year and it is still not paved. Mayor Kuzon said they are evaluated every year. Some streets are in greater need of repair. One that comes to mind is Eagle Street that had a tough time last winter, along with a number of others. Mr. Hill said Columbia has sat there for four or five years now. Mayor Kuzon said they are all looked at every year. Mr. Hill said Monroe is not as bad as Columbia. He said if he were on the Board he would be ashamed to leave the taxpayers sit there year after year. At least the Village could come and fill up the holes but they haven't done that in three years. Mayor Kuzon said he was sure if there were holes there they would be filled.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Schlifke, the meeting was adjourned at 8:25 p.m.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

Richard Baer

Carolyn Schlifke

Trustees

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

David Laubisch, Dept. of Public Works

Absent

Lawrence Brenton

Michael Kibby

Trustees

The Clerk read the notice of public hearing regarding the request by the Little White House, 5877 Main Street, for an Exceptional Development Permit for commercial parking on a residentially zoned lot that they own.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, the hearing was opened at 7:33 p.m.

Unanimously carried.

Mayor Kuzon said he wanted to make it clear that this was not a rezoning hearing. Rezoning is not the question. An Exceptional Development Permit is required when someone wishes to use a lot in a residential district for commercial parking. They wish to use a lot behind their restaurant on Main Street for parking for their restaurant business. Our code requires that before the hearing is held this matter must be referred to various Village committees for their review and recommendations. This issue has gone to Traffic & Safety, Environmental and Planning and Architectural Review and we now have their recommendations.

The Planning/Architectural Review Board feels that this permit could be granted provided the drainage is checked, there is a 10' buffer area between the parking area and the residential lot to the south (which may necessitate the elimination of one parking space), extension of the fence to the south if the adjacent property owner has no objections, and there should be a solid row of bushes and replacement of any shrubs that need to be replaced.

The Traffic & Safety Committee approved the parking as shown.

The Environmental Advisory Council feels there should be a 10' buffer zone at the south end of the property formed of either a 6' solid fence or dense evergreen planting, the landscape law requires that 5% of the total parking area shall be reserved exclusively for landscaping, and the law also requires that one tree shall be planted in the landscaped area for each 30' of frontage and there should be one tree for every 10 parking spaces. At the driveway the height shall not be over 2'.

Mayor Kuzon then opened the hearing for public comment.

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Mr. Russell Salvatore, owner of The Little White House, was present at the hearing.

Mr. Richard Hill, 18 Brookside Drive, said that while this lot is not being rezoned now, will it mean that in the future it will be rezoned. Mayor Kuzon said this is not a request for rezoning. He cannot say what would happen in the future but at present we're only dealing with an Exceptional Development Permit.

Mr. Peter Galie, 22 Highland Drive, said he arrived a little late and asked the Mayor to review the Committee recommendations. The Mayor said they were advisory recommendations. This Board can place contingencies on any permit granted. That is the reason for this hearing, to get public input on what they would like to see done there.

Mr. Galie said he wanted to speak against the granting of the permit. He is hesitant to support this proposal because of the history of the present and past owners of the building in their relationships to the neighborhood. It seems to be one of neglect and a thoughtless attitude. This issue was before this Board when the Haney's owned it and it was turned down then. When this present applicant came before this Board before with this same request, it was also turned down. He asked what has transpired between the time he was first turned down and now to give any indication that it ought to be granted. Between then and now the owner put up cord that only can be described as hardly more than string and a few plastic flyers to rope off the area. That went down almost immediately and parking continued along the north side of the residential lot adjacent to the restaurant parking and it has persisted. He stated he has had to call on numerous occasions regarding this and he doesn't like to have to do that but he feels this law against this parking should be enforced. The last straw was when a giant yacht appeared on that lot, which he looked at for four or five days. A letter of warning finally went out to Mr. Salvatore to clean this up or be cited. The boat disappeared and the string went up and within one day the string was down and they parked there five days straight. He asked why the onus should be on him to see that the ordinance is enforced. He cannot understand the reason for the lack of enforcement. Mr. Salvatore has done an excellent job of redoing the interior and the exterior looks very nice but the back lot is full of weeds and a couple of broken bottles and those plastic stringers. That's what we see as neighbors. Given the committee stipulations he can't see any reason for granting this and he would like to hear more from either the Board or Mr. Salvatore regarding the stipulations for what is going to be done there. Our houses were just reassessed at full value. Their assessment went up but he did not challenge it but he knows he will not be able to get that for his house with that vacant lot and he may not get anything near it if it becomes a parking lot. He would not support this until he saw much more in the way of significant landscaping and concern for the people that have to look at this with lights and cars.

Ted Arousio, Mr. Galie's son-in-law, said he didn't intend to speak but he thought there would be more people here. He thinks he has a unique perspective of that area in general and this lot specifically. He has lived in Buffalo for 4 or 5 years now and has known the Galies for about 2 years now. In these two years there has been a lot of development in this area. Across the street an office building is now going up and there is a building with medical and dental services there. Right next to the Galies is a building that has a lessee relationship with the tenants there. He happened to be asleep on the Galies' couch one morning about 5:00 or 6:00 on a Saturday or Sunday and was awakened when they demolished the house that had stood on the residential lot. Mr. Salvatore is a well respected businessman. If you go into this area you can see the development that is going on. This area on Highland is a residential area. They have spoken with the neighbors around them and they are all against this for a number of reasons, initially because it is slowly eroding the neighborhood from its present residential character to a commercial area. The high school does offer some recreational activities and some green area. But again this development of a residential lot into a parking lot took place by a bulldozer knocking down a residential structure and taking a tree out. The only development of that site has been the removal of topsoil and the laying of gravel. Throughout the year that this problem has existed the lot has been used for parking. The entire lot is not being used for parking but the fringes of the lot are used, near the street area. The Amherst Police say there is nothing they can do about this. Allowing this parking lot would destroy the character of at least this portion of the residential street. Since the house has been removed from the Galies' house you can see into the hot dog place's lot and into Friendly's. This destroys the ambiance of this area. He would think this would erode the value of houses in the area. The onus should not be upon his father-in-law to prove this restructuring of the neighborhood. It should not be passed. This proposal has not been changed since it was last submitted, and there has been no change in circumstances to justify granting the permit. He feels if this permit is granted that eventually this lot will be rezoned and will never be used for residential purposes. Commercial development has to end somewhere. You would be starting the destruction of a really well-kept neighborhood.

Mr. Russell Salvatore said the house that had been on that property in his opinion was not fit to live in and it was an eyesore and would be much better now if we had gotten permission to do this work. As soon as he got permission he ripped the house down. He said he made a mistake in planting the bushes a week later. He said he did so in the mistaken belief that he had obtained approval. He spent \$6,000 and put planting in. If they had gotten permission to continue with this they would have done whatever the Village wanted them to do with regard to buffer areas, etc. He has checked with some of

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the neighbors and has to disagree with Mr. Galie that they are all against it. The neighbor to the south doesn't even want a fence there. If we could have done the work a year ago we would have had beautiful trees and nice landscaping and it would have looked nicer than it does now. As far as the boat being parked there, he said he had gotten one in Florida and since it is his property he feels he could park the boat there in his backyard. He doesn't feel he can do anything with the lot right now to improve it until he has a permit. He did let some of the trees die. This side will look as pretty as the opposite side does now. He went through this same thing with his other restaurant but he proved to those neighbors that we can have a beautiful site. The White House looks ten times better now than it has in the past. He said they would follow any recommendations that the Board may make. If they don't get approval for the parking lot he will let it stay the way it is. He would put a fence between his parking lot and this lot but the neighbors would see that vacant lot. If it is approved he will make it look 20 times nicer than it does now. A parking lot is a paved, clean area. They don't have a rowdy restaurant. They close at 11:00 to 12:00 at night and don't have a bar crowd. They just have lunch and dinner. There's no throwing of bottles or cans or people getting out of hand. They will be more than happy to cooperate with regard to anything that is required by the Board. He would like that side of the building to look just as nice as the other side.

Mr. Galie said he was very pleased to hear that. He doesn't feel that he should be placed in the role of an obstructionist and doesn't feel he is the sole complainant here. Last year when this came up there were a number of people here from the neighborhood and Mr. Salvatore was not here. All the neighbors were opposed that were here. We said we were willing to bargain on this, and we're still willing to talk about it. Dr. Schuller, ~~phelan~~ and Trustee Kibby met at the Little White House about this issue last year. Mr. Salvatore was not there. But if Mr. Salvatore is willing to talk now they are willing to discuss this with him. Asking if we want something nice or that vacant lot there is like putting a gun to his head. He doesn't like that and no one else does. That's not the way to approach it if you want cooperation. The question is what can be done to the lot that is in your best interests and the neighbors' best interests.

Mayor Kuzon said to sum up he doesn't think the Board is in favor of commercial areas encroaching on residential lots. That's part of the situation here. Part of the dilemma too is that we're faced with a situation where it's not a very slightly appearing lot and that something's going to have to be done somewhere in between those two points to preserve the residential integrity of the neighborhood and also improving what is there. It has been indicated that the neighbors and Mr. Salvatore are interested in talking further about what can be done to improve that property and what he

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would like to do is get in touch with Mr. Galie and Mr. Salvatore within the next few weeks and maybe the three of them and Dr. Schuller or whoever can sit down and come up with something that is satisfactory to everyone. If this can be done he would report it back to this Board and see how the Board reacts to it.

Mayor Kuzon said he did receive a letter from Mr. and Mrs. Suggs at 91 Highland Drive opposing the permit on the basis of the present deplorable condition of the property as it does not speak well for the intentions of the owner. Once the permit is granted the property undoubtedly will always be used for parking and would seem a clear case of spot rezoning, and when a person purchases a piece of property he is aware of the restrictions on the number of parking spaces and use of the second floor under the fire codes.

Mayor Kuzon said this Board does not meet again until the end of August so there should be sufficient time to meet and discuss this before then.

ON MOTION by Mayor Kuzon, seconded by Trustee Schlifke, the hearing was closed at 8:00 p.m.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer