

Town of Clarence  
One Town Place, Clarence, NY 14031  
**Planning Board Minutes**  
Wednesday May 19, 2021

This meeting was not an in-person meeting, it was strictly virtual.  
The Zoom meeting link may always be found on the published agenda, which is accessible on the Town of Clarence’s website

**Work Session 6:30 pm**

Status of TEQR Coordinated Reviews  
Review of Agenda Items  
Miscellaneous

**Agenda Items 7:00 pm**

Approval of Minutes

**Item 1**

Thomas & Teresa Pfentner  
Residential Single Family

Requests Minor Subdivision of land approval to create one (1) new vacant lot located at 5955 Shimerville Road.

**Item 2**

Matthew Long, Long Associates Architects  
Restricted Business

Requests Architectural Approval and Site Plan review for an existing professional office building renovation at 8855 Sheridan Drive.

**Item 3**

Clarence Community & Schools  
Federal Credit Union  
Commercial

Requests Concept Plan approval for a proposed new credit union building located at 9145 Sheridan Drive.

Chairman Robert Sackett called the meeting to order at 7:00 p.m.

Planning Board Members present:

Chairman Robert Sackett  
2<sup>nd</sup> Vice-Chair Wendy Salvati  
Jeffrey Buckley

Vice-Chair Richard Bigler  
Gregory Todaro  
Jason Geasling

Town Officials Present:

Director of Community Development Jonathan Bleuer

Junior Planner Andrew Schaefer  
Councilman Paul Shear  
Deputy Town Attorney Steven Bengart

Other Interested Parties Present:

Jacob Metzger	Steven Dale	Matthew Long	UO2's iPad
James iPad	Kim Baughan	***-***-8781	iPhone
Becky	James iPad	Mark Brooks	Rev. Jeff Nichel

Motion by Jeffrey Buckley, seconded by Gregory Todaro, to **approve** the minutes of the meeting held on April 21, 2021 as written.

**ACTION:**

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

**Item 1**

Thomas & Teresa Pfentner  
Residential Single Family

Requests Minor Subdivision of land approval to create one (1) new vacant lot located at 5955 Shimerville Road.

**DISCUSSION:**

Mr. Bleuer introduced this project, stating that it is an existing 7.4 acre parcel consisting of a greenhouse and nursery in the Residential Single Family zone.

The applicant is requesting a Minor Subdivision of land to create one new vacant buildable lot. The proposed lot is located at the northern portion of the property, where there are no existing greenhouse structures. The proposed lot conforms to minimum lot standards in the Residential Single Family zone, and is proposed to be approximately 135' wide by 445' deep for a total of approximately 1.38 acres.

Thomas and Teresa Pfentner were present virtually, and had nothing to add.

Mr. Geasling asked what the intention is for the parcel, Mr. Pfentner responded that they would like to build a home for themselves.

Mr. Geasling asked if there will be septic at that location, which Mr. Pfentner replied yes.

In regards to Public Participation, no one spoke.

**ACTION:**

Motion by Jason Geasling, seconded by Richard Bigler that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Short Environmental Assessment Form as submitted and approve the Part 2 & 3 Short Environmental Assessment Form as prepared and to **issue a Negative Declaration** on the proposed Pfentner Minor Subdivision at 5955 Shimerville Road. This Unlisted Action involves a lot split to create one (1) additional lot in the Residential Single Family zone. After thorough review of the submitted sketch plans and Environmental Assessment Forms it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

**ACTION:**

Motion by Jason Geasling seconded by Richard Bigler to **approve** the Pfentner Minor Subdivision at 5955 Shimerville Road as per the submitted sketch plan received in the Planning Office on April 22<sup>nd</sup>, 2021 with the following conditions:

1. Review and approval by the Erie County Department of Public Works for any future access to Shimerville Road from the newly created lot.
2. Review and approval by the Erie County Health Department for any future on-site sewer facilities for the newly created lot.
3. Review and approval by the Town Building and Engineering Departments for any future residential construction on the newly created lot.
4. Should any drainage easements be required to address on-site drainage issues on the property, appropriate easements shall be submitted by the applicant and approved by the Town Engineering, Highway and Legal Departments. If required, Applicant shall file same in the Erie County Clerk’s office and provide a “Stamped Filed” copy to the Town Attorney’s office after recording.
5. Subject to Open Space and Recreation Fees.

Mr. and Mrs. Pfentner understand and agree to these conditions.

**ON THE QUESTION:**

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

**Item 2**

Matthew Long, Long Associates Architects  
Restricted Business

Requests Architectural Approval and Site Plan review for an existing professional office building renovation at 8855 Sheridan Drive.

**DISCUSSION:**

Mr. Bleuer introduced this project, which is an approximately .62 acre parcel located in the Restricted Business zone, containing an existing structure and associated facilities formerly used by a dry cleaning business.

The applicant is proposing to locate an architectural office in the building, and renovate the exterior building façade. In addition, the applicant is proposing modifications to the existing vehicular site access and parking lot.

Matt Long was present virtually to further explain their request. Their offices have always been further away, and they would like to move them closer to home.

They have gone before the Planning Board Executive Committee and have made adjustments based on their recommendations. Mr. Long explained that during the process, Mr. Bleuer has helped guide them to the materials and aesthetics that are favored along the Sheridan Drive corridor, while still maintaining their own design and sense of uniqueness.

The existing building was a remote dry cleaners, and prior to that it was a gas / service station. Mr. Long explained that they applied for a building permit and were approved to do minor exterior modifications at that point, which they have already completed.

They have combined the two split windows in the front so that the window matches the width of the former garage door, which is apparent when you are inside the building.

They are proposing to clad the front portion of the building in a coil wood, which is a pine wood that is put through an acidic process which will harden it up and make it very resistant to rot and decay. The wood used is a material which is chemically modified through a burning process, which makes the dark wood appear very dark, as seen in the photos. The grey material is a similar process, which is applied vertically with the grain of the board.

Mr. Todaro thanked Mr. Long for his cooperation and work with the Executive Committee and the great work that has come out of those meetings. Mr. Todaro complimented the style and enhancement that Mr. Long's building will bring to the area.

Mr. Todaro stated that he has reviewed the Part One EAF and has no issues with it. Mr. Todaro wants to make sure that Mr. Long is aware that the design of the parking area and the entrances from both Sheridan Dr. and Shimerville Rd. will be denoted and determined based on the Department of Transportation as well as the Coordinated Review. Mr. Todaro wants to be sure Mr. Long understands there may be some design changes that may need to happen within those parameters.

Also from a landscaping aspect, there will be some requirements that the town will be looking for over time, which could be included within any potential motions for this request. This will insure that the property is landscaped properly based on the possible changes that the Department of Transportation determines.

Mr. Long stated that he is aware of the points that Mr. Todaro has made.

Mr. Geasling asked how the wood is affixed to the building, which Mr. Long responded that the red brick which is currently there will be painted a grey color, half way between the light and dark grey wood materials that are shown. This will act as a rain screen, then the wood will be applied using 5/4, 1x1 or 2/4 wood which runs vertically and sits away from the brick, then the rain runs behind it and uses the brick layer as the drainage plane. They have used this on multiple other projects as well, with great success.

Mrs. Salvati asked where the septic system is located, Mr. Long responded that there is a raise mound system all the way to the back of the property.

Mrs. Salvati noted that because the septic is located that far back on the property, that the parking can safely be expanded on the side of the building without it impacting the sanitary system. Mr. Long agreed yes, he is able to. Mrs. Salvati stated that she doesn't feel there will be a need for more than 6 parking spaces in the front for customer traffic, if employees park in the rear of the building. Mr. Long responded that at previous Executive Planning Board meetings, the number of customers and people coming to the office had been a topic of discussion. After talking about it further with his firm, they concluded that since Covid started they do not have as many customers or visitors coming to their offices. The majority of their work with customers is done remotely or virtually, as well as visiting sites.

Mr. Long stated that they have gone back and forth with the size of the parking lot, and have decided that since they have the room to do it, it would be nice to have it approved in case they decide to include it.

Mrs. Salvati noted that they can land bank it so that if some time in the future the company grows they will have the space, but she feels that the six spaces currently shown will be sufficient if the employee parking in the rear is expanded. Mr. Long explained that currently there are 6 spaces in the front with 4 in the back which are definitive. He is hoping to have the additional parking spaces approved and land banked for potential future use.

Mr. Sackett noted that the discussion regarding parking spaces is all pending coordinated review with the Department of Transportation, and is difficult to get in to specifics regarding the quantity and location of potential parking spaces. Mr. Sackett stated that what they are going to attempt to do is to divide the site plan and parking with the architecture, so that Mr. Long can move in and begin his business in the building, then allow the involved parties to participate, and Mr. Long can work along with them.

The focus of tonight's request is architectural, then in respect to the site plan, the intention is to do a coordinated review, get comments from the Department of Transportation and possibly Erie County, then move forward in regards to parking and site plan renovations.

Mr. Long stated that is more than acceptable to him, he would like to get the office ready so that they are able to move in and start their business.

Mr. Bigler asked if the material on the outside is used more for an aesthetic value than an actual protective siding value, how is it capped on the top of the building, and what purpose is a cap if the water will run down the back.

Mr. Long explained that there are multiple ways to install rain screen, and it doesn't mean that it is necessarily encouraged or forced to have water flow behind it, the brick is still protected to a certain extent, as the paint that they use for it is used as an air and moisture infiltration is already there and working.

Mr. Long stated that they are using an aluminum coping and fascia which is in black which is 8-10 in. tall wrapping the top of the building, which runs into the coping and fascia which runs down the short Shimerville Rd. side of the building as well as extends out and returns to the canopy, making it return to the ground.

The term rain screen is misleading in that sense, but it is better to have a system that is protected more than less from the elements.

Mr. Bigler noted that it really does offer a lot of protection, and most of the elements will run on the outside of the surface. Mr. Long responded yes, it will be board on board, they have not chosen the actual profile yet, there are multiple options, and installation is similar to Hardie Board siding.

Further discussion regarding the siding continued.

In regards to Public Participation, no one spoke.

No comments have been received regarding this agenda item.

**ACTION:**

Motion by Gregory Todaro, seconded by Richard Bigler to **issue Architectural Approval** for the Long Associates Architects building façade renovation at 8855 Sheridan Drive per the submitted plans by Long Associates Architects dated May 11, 2021 with the following conditions:

1. Subject to any required permits by the Building and Engineering Departments.
2. Applicant shall submit a landscape plan for review and approval by the Landscape Review Committee, and all required plantings shall be installed within one (1) year of architectural approval.
3. Any exterior building lighting to be dark sky compliant, shielded and downcast to prevent spillage onto adjoining properties.
4. Building materials and colors to be installed per the approved plan specifications.
5. Any proposed signage shall be reviewed and approved by the Sign Review Committee.
6. Parking lot striping and curb stops to be installed within one (1) year of architectural approval, as submitted for approval to the Planning Office, or upon any future approval of a Site Plan, after a coordinated review under the State Environmental Quality Review Act.

Mr. Long understands and questioned the wall mounted sign with their logo that they have planned, and asked if they need to go to a committee for that or can it be approved tonight.

Mr. Sackett responded that he will need to go to a separate committee for the sign.

Mr. Long understands and agrees to the conditions.

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

**ACTION:**

Motion by Gregory Todaro, seconded by Richard Bigler that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the proposed Long Associates Architects pavement and access modification at 8855 Sheridan Drive. This Unlisted Action involves the closure of a Sheridan Drive vehicular access point and parking lot modification, including parking lot striping and curb stops.

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

**Item 3**

Clarence Community & Schools Federal Credit Union Commercial	Requests Concept Plan approval for a proposed new credit union building located at 9145 Sheridan Drive.
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**DISCUSSION:**

Mr. Bleuer introduced this project, which is a 1.27 acre parcel in the Commercial zone, containing an existing credit union building and associated facilities located to the rear of the property.

The applicant is proposing a new 4,142 sq. ft. credit union building, with a drive through facility. The existing credit union building is proposed to be demolished upon completion of the new building.

This project has been previously coordinated through the State Environmental Quality Review Act by the planning office in August, 2020 due to the Covid pandemic.

In January, 2021 the project was referred from the Town Board to the Planning Board for preliminary conceptual review, and was last on a planning board agenda in February, 2021 where the applicant requested that the matter be tabled in order to make some additional adjustments to the project proposal.

Jake Metzger from Metzger Civil Engineering was present virtually, as well as Bub Caliendo with PW Campbell and together they represent the design team for the project.

Also present is Becky Smith as well as multiple other board members representing the Clarence Community & Schools Federal Credit Union.

Mr. Metzger added that this has been an existing business and serving the community since 1954. As their business changes, a bigger, more modern facility is needed. The existing building was originally a single family home.

Tonight they are requesting a State Environmental Quality Review Act determination, as Mr. Bleuer pointed out it was originally done administratively due to the Covid pandemic, and during that time they received numerous comments from interested agencies, nothing of significance. Feedback was received from the Department of Transportation, as the initial design showed two entrances off of the property, and the Department of Transportation is buckling down on that policy, so they reconfigured the entrance to be perpendicular with Sheridan Drive. The Department of Transportation reviewed the updated plan, and “accepted” it conceptually, and they will need to get a highway work permit once construction begins.

There are no wetlands, flood plains, or archaeological concerns on the project site, and all interested agency comments have been addressed, bringing them to their request that the board consider issuing a Negative Declaration under the State Environmental Quality Review Act.

Additionally, they are requesting the board to consider a Concept Plan approval. As previously mentioned, the Town Board referred this project to the Planning Board in January, 2021. Since that time it was seen before this planning board on February 9, 2021 as well as the Planning Board Executive Committee on February 17, 2021 and most recently on April 26, 2021. During that time there were issues and suggestions from the board that they tried to incorporate, including phase construction plans, as previously stated the building in the back will be demolished once the new building is up and running, and the applicant has provided an insurance letter guaranteeing that.

A preliminary grading and drainage plan has been submitted to the Engineering Department, which they have reviewed and submitted their comments back to the applicant which they have since addressed.

The sidewalk has been extended out to Sheridan Dr. in order to create a walkable community, which has extended fully across the Sheridan Drive frontage.

The septic system will be relocated in the back, with the plan being to reuse the existing septic system.

The parking in the front has been reduced, they worked with the Planning Board Executive Committee on that project to make sure that they had an end result that was comfortable to both parties.

They are also requesting a Special Exception Use Permit to allow a drive thru for the building.

Lastly, they are requesting Architectural Approval.

Mr. Sackett noted as a point of procedure, architectural approval is normally not done at the concept level, it is typically done after engineering has been completed and development approval has been gained from the town engineer.

They give conceptual architectural approval, then refer to the Landscape Committee to work out the landscape details prior to development approval.

The Planning Board is only able to refer a project to the Town Board for Special Exception Use Permit approval, they are not able to grant the approval themselves.

Mr. Buckley commended the members of the design team as well as the credit union in their extensive work, they came up with a beautiful design, which will be a great addition to Sheridan Drive.

Mr. Buckley stated in respect to the septic system, the board understands that the existing septic will be used, will there be anything that is needed to be above ground or will everything be below ground. Mr. Metzger responded that it will all be below ground, although at this point they do not have very much information from the Health Department. They are aware that there is a septic system on premises which served a 2 bedroom home.

Mr. Buckley asked about the phasing of the project specifically in regards to the demolition of the old building once the new one is up and running.

Mr. Metzger confirmed that the new building will be built, the existing building as well as the pavement will continue to be used during Phase 1. Once the new building is fully functional, the entire operation will be moved from the old building to the new building and Phase 2 will knock down the old building with the drive-thru then being installed.

Mr. Buckley pointed out the concerns regarding landscape, with this being the first larger building in an important and developing area. The board is being asked to provide conceptual architectural approval, and if they do, they will have conditions set in place. One of the bigger issues will be the landscaping along Sheridan Drive towards the front of the building. This is an important aspect which everyone will need to continue working together on.

Mr. Metzger responded that they will be happy to work with the Landscape Committee to be sure they come up with a beautiful plan that everyone will be happy with.

Mrs. Salvati asked if in accordance with their plan provided, the mechanicals will be placed on the back of the building, to the west of the septic system. On their rendering you show them lined up with the septic, so that will need to be corrected on the rendering.

Mr. Geasling asked if it was intended for the outside perimeter of the lot that the curb ends at the face of the building, and if so why.

Mr. Metzger responded that town code states that parking needs to be curbed up to the front face of the building. Mr. Geasling stated that he is not as concerned at the exit, but would prefer to see the curbs continue on through the parking lot, mainly due to the building next door, and to keep people from cutting across the parking lots.

Mr. Metzger replied that he understands and they are able to do that, whether it is curb or bumpers.

Mrs. Salvati stated that she would like to see it all finished with curbing, if they want the project to look nice like they stated that they did, do not mix materials, keep the curbing going around completely so that it appears finished. The way it looks now, it looks unfinished and if curb stops are installed, it still will not have a finished look.

In regards to Public Participation, no one spoke.

Mr. Bleuer noted that the planning office has received one piece of correspondence which was previously addressed, but on the record again. The individual was concerned regarding light spillage

on to his property, therefore if this project gets to the point of development plan review, a full lighting plan will need to be submitted to insure no lighting will spill on to the property.

Additionally, if there is a motion for concept plan tonight, Mr. Bleuer expects there would be a condition related to dark sky compliant as well as shielded lighting.

**ACTION:**

Motion by Jeffrey Buckley seconded by Gregory Todaro that Pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Short Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Short Environmental Assessment Forms as prepared and to **issue a Negative Declaration** on the proposed Clarence Community & Schools Federal Credit Union Project at 9145 Sheridan Drive. This Unlisted Action involves the construction of a new credit union building and associated facilities and demolition of the existing credit union building in the Commercial zone. After thorough review of the submitted plans, documents, Environmental Assessment Forms and comments, it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

**ACTION:**

Motion by Jeffrey Buckley seconded by Wendy Salvati to **approve the Concept Plan** for Clarence Community & Schools Federal Credit Union at 9145 Sheridan Drive per the submitted drawing by Metzger Civil Engineering dated July 27<sup>th</sup>, 2020, with a revision date of April 28<sup>th</sup>, 2021, and **Conceptual Architectural Approval** per the submitted renderings by PW Campbell and David Fuller AIA, dated May 12<sup>th</sup>, 2021, all with the following conditions:

1. As per the Town of Clarence Engineering Preliminary Grading and Drainage Memo of Approval, dated April 22<sup>nd</sup>, 2021, and associated conditions.
2. Subject to Building and Engineering Department approval on any construction on the site.
3. Existing credit union building to be demolished upon completion of the new credit union building per the Assurance Letter from the applicant dated March 19<sup>th</sup>, 2021.
4. Landscape Committee approval of a final Landscape Plan prior to Development Plan Approval, including but not limited to buffer of parking along Sheridan Drive.
5. Building mechanicals to be identified and detailed on any future Development Plan submittals.
6. Subject to Erie County Health Department and New York State Department of Environmental Conservation approval regarding the use of existing on-site sanitary facilities.
7. Review and approval by the New York State Department of Transportation for access to Sheridan Drive.
8. All lighting must be dark sky compliant and shielded to prevent spillage onto adjoining parcels. No lighting shall be elevated above the roof lines.
9. Any signage subject to review and approval by the Sign Review Committee.
10. Subject to Open Space and Recreation Fees.

Mr. Metzger understands and accepts to the stated conditions.

**ON THE QUESTION:**

Mrs. Salvati stated that as they move forward in the Development plan and start to design the lighting for the site, the board does not like to see lighting standards to exceed 12 ft. in height.

Also, they definitely need to think about proper screening so that any residences or buildings behind the site doesn't have light spilling on to their property and in to their windows.

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

**ACTION:**

Motion by Jeffrey Buckley second by Wendy Salvati to **recommend a Special Exception Use Permit** to the Clarence Town Board to allow a drive through facility for Clarence Community & Schools Federal Credit Union at 9145 Sheridan Drive as per the Conceptually approved drawing by Metzger Civil Engineering dated July 27<sup>th</sup>, 2020, with a revision date of April 28<sup>th</sup>, 2021.

Jason Geasling	Aye	Jeffrey Buckley	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

Motion by Wendy Salvati to **adjourn** the meeting at 8:03 p.m.

Amy Major  
Senior Clerk Typist