

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, March 1, 2023

Work Session 6:00 pm

Status of SEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm

Approval of Minutes

Item 1

Uniland Development
Lifestyle Center

Requests amended Conceptual Master Plan review of a proposed redevelopment of the existing Eastern Hills Mall to a Town Center mixed-use development at 4475-4545 Transit Road.

Item 2

Aurora Sewing Center
Traditional Neighborhood District and Residential Single-Family

Requests Site Plan and Architectural review of a proposed expansion and modification to an existing business / residential property at 8575 Main Street.

Item 3

Pallet Services, Inc.
Industrial Business Park

Requests Conceptual review of a warehouse expansion to the existing business facility at 4055-4075 Casilio Parkway.

Vice-Chairman Richard Bigler called the meeting to order at 7:00 p.m.

Councilman Shear led the Pledge of Allegiance.

Planning Board Members present:

Vice-Chair Richard Bigler
Gregory Todaro
Jason Lahti

2nd Vice-Chair Wendy Salvati
Jason Geasling

Planning Board Members absent: Chairman Robert Sackett
Patrick Johnson

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:

Danielle Johnson	Peter Sorgi	Joanne Kaufman	Lori White
Karen Taylor	Doug Taylor	Ruthann DiNatale	Michele Panzer
Brian Panzer	Karen Bialkowski	Ray Bialkowski	Carla Kosmerl
Diane Eberwein	Daniel English	Amy Valvo	

Motion by Gregory Todaro, seconded by Wendy Salvati, to **approve** the minutes of the meeting held on February 1, 2023, as written.

Jason Lahti	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye		

MOTION CARRIED

Item 1

Uniland Development
Lifestyle Center

Requests amended Conceptual Master Plan review of a proposed redevelopment of the existing Eastern Hills Mall to a Town Center mixed-use development at 4475-4545 Transit Road.

DISCUSSION:

Mr. Bleuer introduced this project, located at 4545-4475 Transit Road. It is an existing mall within the Lifestyle Center Zoning District on approximately 106-acres.

The applicant is requesting amended conceptual master plan review for the redevelopment of the Eastern Hills Mall to a mixed-use town center development. The project is expected to occur over a 20-year period and at full buildout, contain the following: 1,222,750 sq. ft. commercial space, and 1,435 residential units (*556-unit increase*). Three phases are still proposed, with phase 1 remaining unchanged (*from the original proposal*).

In 2021, the Town initiated a formal review of the original conceptual master plan, and has since been conducting an environmental review under the State Environmental Quality Review Act.

A re-initiation of a coordinated review under the State Environmental Quality Review Act would allow for a thorough review of this amended proposal, including review by involved and interested parties.

Peter Sorgi, Project Attorney with the law firm Hopkins Sorgi McCarthy and Kevin Kirk, Director of Planning and Design at Uniland Development were present.

Mr. Sorgi explained that they are requesting to have the coordinated review re-initiated, due to substantial changes that have been made under the State Environmental Quality Review Act (SEQRA).

Mr. Geasling asked for an explanation in regards to traffic due to the density increase of the project.

Mr. Sorgi responded that they have a Traffic Impact Study (TIS) and are waiting for Department of Transportation (DOT) comments, and until they have those comments, he is unsure how much they are able to address the impact on traffic.

Mr. Geasling asked about sewer capacity.

Mr. Sorgi explained that it is always an issue for this area, and that Erie County has started the process by putting out a Request for Proposal (RFP) to various engineering firms. They are aware that sewer and traffic are the two biggest concerns for this area.

Mr. Kirk explained that the RFP is for a study to determine the best and most effective way to get sewer down Transit Road to the twin peanut line.

Mr. Geasling asked what the status of the parallel line is.

Mr. Kirk responded that to his knowledge, it is under design and moving forward.

Mr. Geasling referred to the plans that show substantial amounts of re-vegetation, and inquired when that will occur.

Mr. Kirk stated that they want to be sure that all aspects of the project are lined up before they begin any of the re-vegetation. They want to have all of their approvals in place before moving forward with Phase 1, which is where they intend to begin drastically improving the landscaping on the property.

Mr. Sorgi explained that they first want to be sure the entire project has the capability of being built out in the phases.

Mr. Todaro asked about the RFP for capacity beyond this project, outside of this concept. Mr. Sorgi responded that sewer has been an issue for multiple projects. Erie County recognizes that there are multiple projects along the Transit Road corridor that this RFP will cover.

Mr. Lahti asked about the requirements for zoning, which requires a minimum residential density of 20% floor area and a maximum density of 40% of the floor area. He does not see in the documents where it gives a percentage or square footage of residential area. There is a discrepancy in the updated exhibit 2 that states the full buildout of 1.2 million sq. ft. of retail space then on the next page it shows phases 1-3 with a retail commercial space that adds up to over 3 million sq. ft.

Mr. Sorgi responded that they will correct that and submit it before it gets dispersed. Once they get through the next portion of the approval process, the numbers will be specified and solidified.

Mr. Lahti noted that they will need to see that requirement satisfied.

Mr. Geasling pointed out that it is floor area, which Mr. Sorgi noted they will exceed the minimum requirement.

In regards to Public Participation, the following residents spoke:

Wendy Salvati Aye Richard Bigler Aye

MOTION CARRIED

Item 2

Aurora Sewing Center
Traditional Neighborhood District and
Residential Single-Family

Requests Site Plan and Architectural review of a
proposed expansion and modification to an
existing business / residential property at 8575
Main Street.

DISCUSSION:

Mr. Bleuer introduced this project, located at 8575 Main Street, on the south side of Main Street, east of Harris Hill Road.

It is an existing .93-acre parcel located in the Traditional Neighborhood District and Residential Single-Family zone, containing an existing commercial business, apartment, detached garage, and associated facilities. The site contains a primary access to Main Street and a secondary access to Nottingham Terrace.

The applicant is requesting preliminary Conceptual review of a facility expansion to include an approximately 2,400 sq. ft. building addition. There will be approximately 1,422 sq. ft., and 978 sq. ft. on the second floor. The first floor will house a business expansion while the second floor will contain a new residential unit. Site work consists of expanded parking areas in both the front, side, and rear of the site, adding a double dumpster enclosure, additional landscape screening, and updates to the site lighting.

An initiation of a coordinated review under the State Environmental Quality Review Act would allow for a thorough review of this proposal, including review by involved and interested parties.

Project Architect Danielle Johnson with Carmina Wood Design was present to represent the proposed project. Ms. Johnson added that they are also adding an indoor handicap ramp on the north side of the building. Currently there is only an outdoor ramp providing accessibility, the indoor will be added with adjacent handicapped spaces to accommodate those entering from the Main Street side.

Ms. Johnson stated that there is ample screening around the property, and they will be adding more landscaping as well to help mitigate the views for the neighbors.

Referring to part one item 9 of the State Environmental Quality Review Act (SEQRA) document, Mr. Lahti noted that the meeting or exceeding energy codes will need to be handled through the Building Department.

Mr. Lahti noted that the biggest concern with buffering and lighting will be with the residential neighbors on the south side of the property. The Landscape Review Committee has seen the plans, but have not completed a full review at this point.

Mr. Lahti asked Ms. Johnson to discuss the plans for the buffer.

Ms. Johnson stated that there are a few dead or dying trees on the south portion that are going to be removed and one tree on the Main Street (north) side of the property that is also being removed.

Referring to the plans shown on the screen of the east to west view of Nottingham Terrace, there is screening located around the residential access road.

Mr. Lahti noted that the lighting uses downward facing wall packs on the south side of the property.

Mr. Lahti asked about the façade, noting that per the Town of Clarence Comprehensive Plan for 2030, wood, brick, or high-quality materials for the Traditional Neighborhood District (TND) zone are preferred.

Ms. Johnson responded that they have a raised stone sill wall with white vinyl siding that wraps the building. They plan to match the existing stone base with a foundation wall that protrudes from the ground. They would prefer to use vinyl siding for the remainder of the building on the Main Street side, an addition of approximately 235 sq. ft. of vinyl siding.

Mr. Lahti noted that those details will be discussed at a later time.

Mr. Lahti stated that for the TND zone, parking is to be located on the side or in the rear only and screened from view. While this is a pre-existing building, parking is being added in the front so additional landscaping or mitigation will be needed.

Mr. Lahti asked about the parking spaces, pointing out that they have exceeded the number of parking spaces required, what is the rationale.

Ms. Johnson responded that it is the owner's preference, based on their needs and uses for their business.

Mr. Lahti noted that there are some discrepancies with the elevations on the top of the berms and asked that they are resolved in future drawings.

Referring to the driveway on to Nottingham Terrace, Mr. Lahti asked if there is a need for it and what it is used for.

Ms. Johnson responded that it is strictly residential, no commercial traffic uses that driveway. Garbage trucks, supply trucks, everything will enter from Main Street. They are expanding the Main St. entrance a couple feet and straightening it also, so that it is easier for the larger trucks to access. No commercial vehicles will be utilizing the residential driveway.

Mr. Lahti asked if there can be a barrier put in place to block thru-traffic from utilizing the residential driveway.

Ms. Johnson responded that to her knowledge there has not been an issue with vehicles cutting through especially commercial vehicles, however she is aware that some residents may utilize it is a cut-through to Main Street. Ms. Johnson stated that they would be willing to discuss suggested ways to limit any potential cut-through traffic.

Mr. Bigler asked if commercial traffic cutting through to Main Street is a constant problem.

Ms. Johnson responded that she is not aware of that being an issue.

Mr. Bigler reiterated with Ms. Johnson that the driveway on Nottingham Terrace will only be used by the residents of the apartment unit.

Mr. Bigler stated that during a previous Executive Session, they requested that the applicant keep as much of the natural cover on the south side as they can, it serves as a nice buffer.

Ms. Johnson stated that nothing that is not on their property will be removed, and aside from trees that they will be replacing will be removed on their property. There won't be anything removed from the south side or adjacent to that.

Mr. Bigler stated that the Planning Board prefers no vinyl material of any type is used for projects along Main Street. There are a lot of good, quality products that can be used in place of vinyl.

Ms. Johnson noted that they planned to match the existing siding.

Mr. Bigler responded that they understood that the applicant planned to replace some of the existing vinyl also, this way it can all be done overall.

Mrs. Salvati asked how high the light standards are that are being proposed, specifically in the rear of the property.

Ms. Johnson responded that the pole lights are currently proposed to be 15 ft. tall. She has reached out to their lighting consultant to see if they can be lowered to 12 ft. and has not received a response yet. They are attempting to correct that, and the lights on the poles are shielded and dark sky compliant.

Mrs. Salvati noted that with the new parking along Main Street, she would like to recommend some landscaping is added along the line of parking spaces to help buffer the view of the vehicles.

Mr. Geasling stated that the rear spaces are intended for the residents, and the rear driveway is being widened to 12 ft. wide, it is not designed to be two-way. Additionally with a garage located in the same area, visibility will be limited for anyone utilizing the back parking area and driveway. Mr. Geasling suggested cutting it off so that there is no cut-through area.

Ms. Johnson responded that she will discuss it with her client.

Mrs. Salvati explained that she agrees, talk to the owner about the possibility of adding some grass along the area of the roadway on the east side that continues to the garage. It can be utilized as a personal driveway for the residents of the apartment.

Mr. Lahti explained that this is the beginning of the coordinated review for this proposed project, nothing will be approved tonight, this is the beginning of the comment period.

In regards to Public Participation, the following residents spoke:

1. Brian Panzer of 8545 Nottingham Terrace:

- landscaping and maintenance on the property happens around 10:00 pm. on a regular basis, which seems unnecessary.
- requests a new buffer is installed, the current one is overgrown he has to cut it himself off of Nottingham Terrace because the part hanging in to the right-of-way on the west side causes vehicles to encroach on to his property
- the part on the east side is so overgrown that it blocks the street light
- the whole frontage along Nottingham Terrace should be pulled out and started new
- has never seen a vehicle go in the driveway located on Nottingham Terrace but the new proposed apartment shows a new concrete pad. During busy business hours there are cars parked along Nottingham Terrace
- would like the rear driveway eliminated
- had previously been chained off but has since been removed

2. Joseph Jdrzejek of 8560 Nottingham Terrace:

- where will the dumpster go on the east or west side of the garage
- with the expansion will there be a possibility of adding privacy shrubbery or a privacy fence to mitigate the view along the east side
- has never had an issue with the rear driveway

Public Participation has been closed for this project for tonight’s meeting.

Ms. Johnson returned to address the questions and concerns, noting that she has no information regarding the property maintenance but will discuss it with the owner.

Ms. Johnson does not believe that the blocked street light is on the owner’s property, but will look in to it.

Ms. Johnson stated that she will also follow up with the owner about the chain across the rear driveway that has been removed.

Ms. Johnson stated that the dumpster is currently located on the southwest side, away from Mr. Jdrzejek’s property. They will be adding full screening around with additional landscape screening around the dumpster.

Mr. Bigler stated Ms. Johnson will discuss the addition of more landscaping on the east side to help buffer that area.

ACTION:

Motion by Jason Lahti, seconded by Wendy Salvati 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 Aurora Sewing Center project at 8575 Main Street, in the Traditional Neighborhood District and Residential Single-Family zone. This Unlisted Action involves the proposed expansion and modification of the existing facility.

Jason Lahti	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye		

MOTION CARRIED

Item 3

Pallet Services, Inc.
Industrial Business Park

Requests Conceptual review of a warehouse expansion to the existing business facility at 4055-4075 Casilio Parkway.

DISCUSSION:

Mr. Bleuer introduced this project, located at 4055-4075 Casilio Parkway, south of Wehrle Drive, east of Gunnville Road.

It is an existing industrial manufacturing and warehousing facility located on parcels totaling approximately 9-acres.

The applicant is requesting preliminary conceptual review of a warehouse expansion of approximately 62,000 sq. ft., to be located on adjacent property recently acquired. The existing building on the newly acquired property is to be demolished as part of this proposed project.

The applicant is seeking two variances; to allow reduced front yard setbacks and parking within the front yard setback.

An initiation of a coordinated review under the State Environmental Quality Review Act would allow for a thorough review of this proposal, including review by involved and interested parties.

Michael Metzger with Metzger Civil Engineering was present to represent the applicant.

Mr. Metzger noted that this existing building and growing business is looking to expand the existing asphalt area will be removed and replaced with the new addition.

Mr. Metzger added that the proposed building will be designed to be architecturally compatible with the existing building, with some extra features.

Mr. Todaro noted that he has reviewed the Short Environmental Assessment Form, and noticed there is no water connection.

Mr. Metzger responded that there will not be any water use aside from the sprinkler system. No sanitary connection.

Mr. Todaro asked if the knee wall goes around the entire building.
Mr. Metzger responded yes, it does.

Mr. Todaro noted that the light packs are higher than they may need to be.

Mr. Metzger responded that when there is a large area to be covered by light, one of the ways to handle it is to have the lights higher, but less of them. They will be shielded

Mrs. Salvati asked how late at night the lights stay on.

Mr. Metzger responded that he does not believe the loading dock area is used outside of normal business hours, and the owner currently intends to keep the lights on all night for security purposes. The area is a business area surrounded by plenty of natural vegetation.

Mrs. Salvati is not in favor of the lighting on all night.

Mr. Bigler asked if the lighting is currently on all night.

Mr. Metzger responded yes.

Mr. Todaro asked if there is any proposed outside storage anywhere in the rear of the building on the stone pad.

Mr. Metzger responded no there is not.

Mr. Todaro asked if the parking area will change from what is existing.

Mr. Metzger responded that they will be adding a few more spaces and some handicapped spaces, it will be closer to Casilio Parkway. The neighboring business has ample front parking, so it will not be out of character.

In regards to Public Participation, the following residents spoke:

1. Daniel English of 9700 Wehrle Drive

- the road is commercial accessible though nothing is posted but it was not repaved for commercial use
- fears the road will deteriorate very quickly
- currently hears noises from trucks coming from the property early in the morning and late at night
- the loading docks face the north side which has some homes located on that side
- believes the area is more rural than industrial and will lower house values
- can see the lights through the trees at night

Public Participation has been closed for this project for tonight's meeting.

Mr. Metzger returned to address the questions, stating that he will talk to his client about the existing noise. It is a business park.

Loading dock faces the north, but faces the building to the north which should block any noise.

Mrs. Salvati asked what the hours of operation of the business are, and when do they start receiving deliveries.

Mr. Metzger responded that he will get that information from the applicant.

ACTION:

Motion by Gregory Todaro, seconded by Wendy Salvati 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 Pallet Services Expansion at 4055-4075 Casilio Parkway, in the Industrial Business Park zone. This Unlisted Action involves a proposed warehouse expansion to the existing facility.

Jason Lahti	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye		

MOTION CARRIED

Meeting **adjourned** at 8:00 p.m. with a motion by Mrs. Salvati.

Amy Major
Senior Clerk Typist