

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday May 17, 2017

Work Session 6:00 pm
Status of TEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm
Approval of Minutes

Item 1

Bevilacqua Development Company
Commercial

Requests an Action under the State Environmental Quality Review Act (SEQRA), Concept Plan Approval and a Recommendation for a Special Exception Use Permit (SEUP) for a proposed Retail/Restaurant plaza at 6031 Transit Road.

Item 2

Mike Shields/Amish Villa
Traditional Neighborhood District

Requests a Recommendation for a Temporary Conditional Permit for an Outside Display at 8574 Main Street.

Item 3

Matthew Moyer
Agricultural Rural Residential

Requests Subdivision Approval to create five (5) lots at the southeast corner of Goodrich Road and Lapp Road.

Item 4

Andrew's Jewelers
Major Arterial

Requests Development Plan Approval for a proposed new jewelry store at 4715 Transit Road.

Item 5

Paul Bliss
Residential Single Family

Requests a Demolition Permit for a structure built prior to 1950 at 8660 Greiner Road.

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

Councilman Paul Shear led the pledge to the flag.

Planning Board Members present:

Chairman Robert Sackett

1st Vice-Chairman Richard Bigler

2nd Vice-Chairperson Wendy Salvati
 Gregory Todaro
 Jeffrey Buckley

Timothy Pazda
 Steven Dale
 Jason Geasling

Planning Board Members absent: none

Town Officials Present:

Director of Community Development James Callahan
 Councilman Paul Shear
 Deputy Town Attorney Steven Bengart

Other Interested Parties Present:

JoAnn and Mike Marinell Carol Cornwall Paul Bliss

Motion by Gregory Todaro, seconded by Richard Bigler, to **approve** the minutes of the meeting held on April 26, 2017, as written.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Chairman Sackett noted that Mr. Geasling will participate in all discussions but does not have voting privileges this evening due to the full complement of the Board. He went on to explain that Mr. Callahan will introduce each agenda item, the applicant will have the opportunity to add information regarding the project. The Board will ask the applicant questions relative to the project. Members of the audience will be provided the opportunity to comment on the project. The applicant is asked to answer any questions the members of the audience had. When appropriate, Chairman Sackett or Mr. Callahan will answer questions, as well. The Board will then take action as they see fit.

Item 1

Bevilacqua Development Company
 Commercial

Requests an Action under the State Environmental Quality Review Act (SEQRA), Concept Plan Approval and a Recommendation for a Special Exception Use Permit (SEUP) for a proposed Retail/Restaurant plaza at 6031 Transit Road.

DISCUSSION:

Mr. Callahan provided the background on the project noting that it is located on the east side of Transit Road, north of Clarence Center Road. It is currently vacant, formerly The Buggy Wash Car Wash location. The thirty (30) day comment period under the State Environmental Quality Review Act has been completed. Comments have been received from the Town of Amherst and the NYS Department of Transportation and based upon those comments the site plan has been adjusted accordingly.

Jonathan Bevilacqua, of Bevilacqua Development, is present and said there were a number of comments at the last meeting which they have addressed in the current site plan. This includes the submission of cross easement access agreements adjoining this parcel with the adjacent Buffalo Pharmacy building to the north as well as the Transit Meadows medical office park to the east. These are on record and provide for cross access easement and shared above ground and underground utilities between all the parcels. The applicant has also approached NOCO on the future driveway connection. NOCO is aware of the applicant's development, they (NOCO) are in a holding pattern on what their future plans are that location. There is a note on the drawing that the applicant is willing to provide a future connection at some point when NOCO is willing to allow the parcels to connect. Mr. Bevilacqua received comments from DOT which where to eliminate the previously existing curb cut on Transit Road, so there will be a single curb cut on Transit Road, they have modified the plans accordingly. The applicant has also submitted a revised elevation plan which takes into account the new building dimensions, which was requested by the Board. The plan also details the list of materials that will be used for the building which include eight (8) different types of Dryvit, there is brick, stone and extensive glazing. The rear of the building has been revised to provide a second front which will serve as an access point for the customers parking in the rear of the building.

Mr. Bevilacqua said it was requested that they provide an alternate site plan showing the drive-thru on their property along with the original plan which showed the drive-thru encroaching onto Transit Meadows medical parcel. The alternate plan has been submitted.

Chairman Sackett asked for confirmation that six (6) parking spaces have been added where the exit was closed, so the total parking space is 56. Mr. Bevilacqua said that is correct.

Chairman Sackett said should NOCO allow cross access the applicant said he will allow it as well. Mr. Bevilacqua said that is correct. Chairman Sackett asked the applicant what he thought the tipping point was for NOCO to allow the cross access. Mr. Bevilacqua said NOCO's representatives did not tell him what the tipping point is, they said they were discussing it internally.

Chairman Sackett pointed out the differences in the two (2) site plans noting that one has a designated drive-thru lane while the other does not have a designate lane because the lane goes through the parking lot.

Mr. Pazda said if a different applicant was proposing this and did not own the adjoining parcel and they asked for the drive-thru to be put on that property, he would be opposed to it. For this reason he is opposed to granting permission to put that drive-thru on the adjoining parcel even though the applicant owns it. Mr. Pazda does not like the drive-thru lane going through the parking area either. He believes there is a third option which is eliminating some parking in the last row facing east. The applicant could take advantage of the surrounding parking that is available and have cross access and shared parking. The fourth option is to reduce the size of the building, Mr. Pazda thinks this plan is overdeveloped.

Mr. Bevilacqua said with respect to the parking, they want to maintain as much parking as possible per the Fire Chief's comment which was raised at the last meeting. If it pleases the Board, the applicant said he can file a deed to move the dedicated drive-thru and make it part of the 6031 parcel. Deputy Town Attorney Steve Bengart asked if there was a financing issue with this idea, Mr. Bevilacqua said no. Mr. Pazda said if the applicant files a deed as he described that would change his vote to yes. Ms. Salvati said if the applicant does this they will be taking property out of the required 25' setback area for the medical building, it will cut the setback area in half, does that create a violation of the site plan that the Board approved for that site? The proposed drive-thru stacking lane is part of the 25' setback

requirement for the medical building, the medical building ends at that lot. Mr. Bevilacqua said they are proposing a unified development and his understanding of a unified development is that there are no internal setbacks between the two parcels. Mrs. Salvati asked the applicant if he would annex that property to the property in the back and make it all one property. Mr. Bevilacqua said they would not do that. They would add the pavement area of the dedicated drive-thru to the plaza parcel, which would make the drive-thru self-contained, in a unified development the 25' setback would not apply anymore. Ms. Salvati asked why it doesn't apply, Mr. Callahan said it is not a separate parcel if it's all under one ownership. Deputy Town Attorney Steven Bengart said he thinks it still applies but does not see the need to put a deed on record in order to solve a problem that does not exist, because there are cross easements.

Mr. Todaro asked if the easements are in place and the parcel is sold, do those easements go with the parcel. Deputy Town Attorney Steven Bengart said yes. Mr. Bevilacqua said easements run with the land, so the easements bind future owners.

Ms. Salvati asked to revisit Mr. Pazda's suggestion again, which was taking the last row of parking and putting it where the drive-thru is, then have the drive-thru run through the space that was just created. Mr. Bevilacqua said his engineer looked at that option but there were issues with it such as lighting the drive isles between the parcels. Ms. Salvati said it would create a problem for someone who was coming in from Buffalo Pharmacy.

Chairman Sackett said he believes the plan functions well, he sees no breaching or violation of any code, it works and he has no problem with it.

Mr. Todaro said if cars are going southbound in that lane and if there are cars that are queued in that area, those cars would not be able to break into the line of cars, they would have to go to the front.

Mr. Bigler said the Board has been encouraging designated drive-thru designs, he feels the plan suites the need of the project and he is in favor of it.

Mr. Dale said he would like to see a traffic control sign at the point that indicates who should yield to the through traffic at the drive-thru lane, this will come up at the Development Plan stage. Mr. Dale referred to the environmental assessment form and said question #17 indicates that no storm water will be created. This confused Mr. Dale and he asked for an explanation. Mr. Bevilacqua said the site was totally paved so they are not creating anymore impervious area. There will be no new impervious pavement and building sizes created that weren't already in existence. Mr. Dale said he is not sure storm water was handled the same way when it was The Buggy Wash, the applicant's requirements may be different. Mr. Bevilacqua said they will handle the storm water better, this is a re-development of an existing building. He went on to explain the storm water will be handled with multiple DI's, it is all self-contained on the site. The parking lots are pitched to the drains and all tie into the main storm sewer on Transit Road. There is an existing connection that is already in place from the building that ties into the storm drainage on Transit Road. Mr. Dale asked if there will be a retention basin, Mr. Bevilacqua said no, it is not required.

Chairman Sackett noted that a peaked roof was discussed at a previous Planning Board Executive Committee meeting. This would be something discussed at the architectural approval stage which is not this evening. He pointed out that the pharmacy and the plaza to the south both have peaked roofs. Chairman Sackett asked if the applicant would consider a peaked roof for this development. Mr. Bevilacqua said he really likes the design of this building, he does not think a peaked roof is the right

look for this building. The medical park in the back of the property does not have a peaked roof nor does NOCO. This is a stand-alone building, they are using a lot of the materials that match the medical park, same brick. This is a big investment in the Town and is going to have a big economic impact on the Town. He does not perceive a peaked roof as an attractive feature to add to this building. Chairman Sackett noted that at the next level the applicant will be seeking architectural approval for the Planning Board.

Mrs. Salvati said the cross access will become essential because the applicant's proposed curb cut and NOCO's curb cut are very close in proximity.

Chairman Sackett noted that the office park to the east is not before the Board this evening, he asked that comments from the audience be kept to those pertaining to the project that is currently before the Board.

Chris Hamm, of 6020 White Gate Crossing, said his number one concern is Transit Road. He has been a resident of Woodbridge Village since 2002 and it gets harder and harder to take a left hand turn onto Transit Road. There are 300+ parking spots in the medical park which is not open yet, so they are not sure how it will be impacted. There is a lot of traffic backed up on Transit Road when approaching Clarence Center Road for the north, which is a main route into Clarence. The Country Club traffic will be trying to make a left hand turn so now they will be sharing space with everyone who will be turning into the new complex. Hopefully the traffic studies were done properly, he sees that there will be a traffic problem there and he hopes there will be no accidents that come about because of this. His other concern is the restaurant, there are so many restaurants in the area already. The back of his house is 100 yards away from where the drive-thru is proposed. He does not want to be hearing people placing their orders and the responses coming from the inside of the restaurant. Do we need a restaurant? Is it something you are going to take your kids to? Are you going to enjoy this or is it just another restaurant on Transit Road? He is looking out the back of his property and seeing all this development, he is staring at a grey cinder block back wall which he guarantees none of the Board would have approved and none of them would want to live there. Mr. Hamm suggested that until the office park goes up, the restaurant should be put on hold until they see how the traffic is affected.

JoAnn Marinell, of 6055 White Gate Crossing, is a member of the Woodbridge Home Owners Association and is representing the Board. She asked about the noise that the drive-thru will cause, is there a decibel limit, how far away will the orders being taken be heard? She referenced the property next to NOCO. Mr. Callahan clarified that NOCO owns the property on the corner and the next one going east on Clarence Center Road. She asked if anyone using the development can drive in and out of Clarence Center Road, isn't it dangerous to drive in and out of that area? She went on to ask if the building materials will be the same all the way around the building, will it be finished all the way around.

Mr. Bevilacqua said with the new speaker technologies they will be able to adjust the volume. It is in their interest to be a good neighbor, so they will adjust the volume so it is beneficial to both the restaurant and the neighbors. He pointed out that the parcel is abutted by all commercial spaces and is zoned commercial. He believes the residential area is about 1,000 feet away. The speaker is to the north side as indicated on the map. He went on to say that the new Transit medical building will help to obstruct any sound from the speaker. With regard to the traffic on Transit Road, Mr. Bevilacqua said this is an existing parcel that was being used, this will be a heavier use than The Buggy Wash but eliminating one curb cut should help funnel the traffic to the main entrance and help the traffic flow which was a DOT comment. Chairman Sackett asked what type of restaurant will be going in, Mr. Bevilacqua said it will be a fast casual restaurant. There will not be any cross access through NOCO, although the applicant is

willing to provide cross access if there is any re-development at the NOCO site. It is confirmed that all four (4) sides of the building will be finished.

Chairman Sackett said traffic on Transit Road can be heavy, if a traffic signal is warranted a traffic study will have to be done by the State, as Transit is a State road.

Mrs. Salvati asked where the mechanicals will go. Mr. Bevilacqua said the HVAC units will be rooftop units and will not be visible from the road. A five foot (5') parapet will cover the mechanicals. Mr. Geasling said a pitched roof can help hide the mechanicals as well. This will be further discussed at the architectural development stage of the project.

Mrs. Salvati asked about stand-alone signage. Mr. Bevilacqua said there will be a separate sign, probably a ground sign at the site, however they do not have details at this point. Any signage will be done according to Town Code.

Mr. Pazda said that he is displeased with the maximum build-out at this site but said he likes that they cleaned up the site, it is a tremendous improvement, and the building looks great. He does not have a problem with the design of the building and does not think that every building needs to look the same on Transit Road. He said there is a red flag when a site is developed and everything that is needed cannot be put on the site. That is a big negative for him.

ACTION:

Motion by Gregory Todaro, seconded by Wendy Salvati, Pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 2 and 3 EAF as prepared and to **issue** a Negative Declaration on the proposed Bevilacqua retail/restaurant plaza located at 6031 Transit Road. This Unlisted Action involves the development of a new retail/restaurant plaza in the Commercial Zone. After a thorough review of the submitted site plan and Environmental Assessment Form (EAF) and including a coordinated review among involved agencies, it is determined that the proposed action will not have a significant negative impact upon the environment.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Motion by Gregory Todaro, seconded by Steven Dale to **grant** Concept Plan Approval on the proposed Bevilacqua retail/restaurant plaza located at 6031 Transit Road as per the submitted site plan from Carmina & Wood dated 2/27/17, with the following conditions:

1. Drive-thru lane to be separated from parking drive lane as per submitted designated drive lane design and pursuant to formal cross access agreements.
2. Subject to Landscape Plan approval prior to Development Plan approval.
3. Subject to Open Space and Recreation Fees.

ON THE QUESTION:

Mr. Pazda asked if Deputy Town Attorney Steve Bengart was satisfied with the wording that was added to condition #1. Deputy Town Attorney Steve Bengart said he was satisfied when he received copies of the easements showing cross access as well as the filing receipts. He is ok with the condition.

Mr. Bevilacqua understands and agreed with the conditions.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Nay	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Gregory Todaro, seconded by Steven Dale to **recommend** to the Clarence Town Board approval of a Special Exception Use Permit to allow for a drive-thru facility as per the approved Concept Plan.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Nay	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Item 2

Mike Shields/Amish Villa
Traditional Neighborhood District

Requests a Recommendation for a Temporary Conditional Permit for an outside display at 8574 Main Street.

DISCUSSION:

Jim Callahan provided the history on the project noting that it is located on the north side of Main Street, east of Harris Hill Road. The applicant is seeking a Temporary Conditional Permit for an outside display. Per the Zoning Law, the Town Board may consider the request with a Temporary Conditional Permit. The Town Board has forwarded the application to the Planning Board for review and recommendation back for the Temporary Conditional Permit.

Mike Shields from the Amish Villa is present and stated that he is trying to comply with everything the Town is asking of him. He put in landscaping on the side patio, he is maintaining the lawns and he put a parking light in the parking lot in front of the store.

Chairman Sackett referred to the diagram which indicates that all the items for sale fall behind the front of the building, but at this time, they do not. Mr. Shields said he will move the items.

Mr. Buckley asked if Mr. Shields understands that this is a one (1) year permit and if the objects are placed closer to the road than the 85' setback to the front of the building that could jeopardize the renewal. Mr. Shields said he understands.

ACTION:

Motion by Wendy Salvati, seconded by Richard Bigler, that in order to achieve the goal to organize and clean up the display area and keep excess products out of public view, to **recommend** to the Clarence Town Board, approval of a Temporary Conditional Permit to the applicant, Mike Shields/Amish Villa at 8574 Main Street, with the following conditions:

1. Display area to be as described and memorialized in the submitted site plan dated May 2, 2017 and generally described as follows:
 - a. Area of display to be located behind the front face of the plaza store in an area measuring 85' x 95'.
 - b. Display to include 7 large items and 5 smaller (picnic table) items.
2. Structures not included in the formal display area must be hidden from public view behind the plaza building so as not to be visible from Main Street.
3. No display along the front sidewalk area—small display area is located within side patio behind front face of building.
4. Subject to Landscape Committee approval at time of renewal of the Temporary Conditional Permit.
5. Repair of the parking lot light in front corner of the existing parking lot.
6. Temporary Conditional Permit issued initially for one (1) year.

ON THE QUESTION:

Mr. Shields understands and agreed with the conditions.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Item 3

Matthew Moyer
Agricultural Rural Residential

Requests Subdivision Approval to create five (5) lots at the southeast corner of Goodrich Road and Lapp Road.

DISCUSSION:

Jim Callahan provided the history on the project noting that it is located at the southeast corner of Goodrich Road and Lapp Road. The property is in an Agricultural Rural Residential zone consisting of

approximately 24 acres and is currently vacant land. The applicant is present seeking approval for a subdivision to create five (5) lots.

Matthew Moyer, 5424 Barnum Road, Akron, NY is present and said the lot sizes are large, he is not cramming houses in on lots with only 100' of frontage. There will only be one (1) curb cut on Goodrich Road.

Chairman Sacket informs the applicant that the Planning Board does not have the authority to approve the plan because it is not in adherence to the code. The Town Board has the authority to approve this proposal. Mr. Moyer understands.

Mr. Todaro asked if the trees will remain and act as a buffer along the east side of the property. Mr. Moyer said yes. Mr. Todaro asked if landfill will be brought in and Mr. Moyer said yes.

Mrs. Salvati asked if the four (4) lots, including the corner lot, will have curb cuts that go out to Lapp Road. Mr. Moyer said yes.

ACTION:

Motion by Wendy Salvati, seconded by Greg Todaro, pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Short Environmental Assessment Form (SEAF) as submitted and prepared and to **issue** a Negative Declaration on the proposed Moyer Subdivision located at the southeast corner of Goodrich Road and Lapp Road. This Unlisted Action involves a subdivision to create up to 5 lots in the Agricultural Rural Residential Zone. After thorough review of the submitted EAF and site plan it is determined that the proposed action will not have a significant negative impact upon the environment.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Motion by Wendy Salvati, seconded by Richard Bigler, to **refer** the proposed Moyer Subdivision plan dated 5/1/17 to the Town Board to seek relief from §193-21(E) of the Code of the Town of Clarence. The applicant is seeking a variance to the Subdivision Law to allow more than three (3) independent lots along Lapp Road. Conditions of any variance to the Subdivision Law should include the following conditions:

1. A limit to the number of curb cuts/access points from Goodrich Road to the parent parcel to no more than 1.
2. No future re-subdivisions or additional lot splits of any lots approved under this proposal.
3. Review and approval by the Town Engineering Department on any required Storm Water Pollution Prevention Plan for land disturbance greater than one (1) acre.

4. Drainage easements for future Town Highway Department access, if required by the Town Engineer. Such easement language and filings shall be subject to review and approval by the Town Attorney’s Office.
5. Review and approval by the Erie County Department of Public Works for access permits to the County roads.
6. Review and approval by the Erie County Health Department for future on-site sanitary facilities.
7. Review and approval by the Town Building and Engineering Department for any future building permit applications.
8. Subject to Open Space and Recreation Fees.

ON THE QUESTION

Mr. Moyer reviewed the conditions and said understands and agrees with them.

Mr. Todaro asked if there are limits as to how many septic systems can go in within a year period. Mr. Callahan explained that NYS Realty Subdivision Law allows for four (4) in a three (3) year period for lots under five (5) acres; there are only 3 with this project so it would not be an issue regarding NYS Realty Subdivision Law.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Item 4

Andrew’s Jewelers
Major Arterial

Requests Development Plan Approval for a
proposed new jewelry store at 4715 Transit Road.

DISCUSSION:

Jim Callahan provided the history on the project noting that it is located at east side of Transit Road south of the access ramp to Sheridan Drive. This is an existing vacant parcel located in a Major Arterial Zone. A Negative Declaration under the State Environmental Quality Review Act (SEQRA) and Concept Plan Approval have been issued on this project.

Andrew Moquin, owner of Andrew’s Jewelers, is present.

Chairman Sackett asked if the architectural plan on display is accurate. Mr. Moquin said yes, other than the color scheme, the elevations are correct. Chairman Sackett asked what the material is behind the Andrew’s Jewelers letters, Mr. Moquin said it is EIFS/Dryvit, it is not painted. He explained that there is an updated elevation which shows cultured stacked stone above the arch and behind the steel canopy.

Mrs. Salvati asked about the lighting standard at the edge of the driveway that is not working. Mr. Moquin said there are two (2) that are not working, one on the west side of the property near Transit Road and one on the north side near the Sheridan on-ramp. He will communicate with NYSEG to get those working. Initially, there was lighting proposed on the building to illuminate the parking lot, that lighting has been eliminated. They have added pole lighting on the Transit side of the property.

Mrs. Salvati asked if Mr. Moquin will be replacing the trees that are in the right-of-way and noted that he needs to work with the DOT with regards to this. Mr. Moquin said those trees are actually within the property line. Mrs. Salvati went on to ask Mr. Moquin if he will be using the same type LED sign that is at his existing location. He said he will be using a newer version of that LED sign, and it will operate within Town Code.

Mr. Bigler noted that the light standards need to be dark sky compliant, Mr. Moquin agreed.

Mrs. Salvati wants to confirm that in the back there is lawn that now goes all the way across to an area that was paved and parking that was for the other building, but the applicant has worked it out with that property owner and he is ok with the applicant putting lawn there. Mr. Moquin said he has had conversations with Bernard Birnbaum regarding the project and they have negotiated the utility easement. They removed the curbing on the west side of the building to help with snow removal, this will help alleviate snow removal problems on the Mr. Birnbaum's property as well.

ACTION:

Motion by Timothy Pazda, seconded by Steven Dale, to **grant** Development Plan and Architectural approval to the proposed Andrew's Jewelers store located at 4715 Transit Road as per the submitted site plan from Wayne Giambrone Engineers dated May 1, 2017 and the submitted elevations received on 1/11/17 in the Planning and Zoning Office. Conditions of Development Plan approval are as follows:

1. Subject to Open Space and Recreation Fees.
2. Subject to PIP and Building Permits as issued by the Town Building and Engineering Department.
3. Signage approval of proposed free standing and building signs per separate sign application.
4. All lighting is to be dark sky compliant.

ON THE QUESTION:

Mr. Moquin understands and agrees with all the conditions.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Item 5

Paul Bliss
Residential Single Family

Requests a Demolition Permit for a structure built prior to 1950 at 8660 Greiner Road.

DISCUSSION:

Jim Callahan provided the history on the project noting that it is located on the north side of Greiner Road between Shimerville and Harris Hill Roads. It is an existing residential property located in the Residential Single Family Zone. The applicant is seeking approval to demolish the existing structures. Per local Town Environmental Quality Review (TEQR) law, demolition of a structure built prior to 1950 is identified as a Type 1 Action under the State Environmental Quality Review Act (SEQRA).

Paul Bliss is present.

Chairman Sackett asked the applicant if he has plans for this property if it is approved for demolition. Mr. Bliss has no plans as of yet. He initially was thinking of preserving the home but the upkeep was not there and there is asbestos in the structure. He is contemplating building a residence for the site. The parcel is five (5) acres in size.

Mr. Pazda asked if the applicant is aware of what goes on behind the lot. Mr. Bliss said yes and he is fine with it, he has met the neighbors.

Mr. Dale referred to the government approval section of the EAF and noted that the applicant did not mark regional agencies that needed approval, he asked if there was a reason for this. Mr. Bliss said there is no reason, just inexperience in filling out the form. It will be corrected.

Carol Cornwall, of Meadowbrook Road, said she has lived here all her life and has admired the home that Mr. Bliss has purchased. Her concern is with the construction that is back there, it for the good of the Town. People put a lot of money into their homes and there needs to be some type of monitoring for future development either on Mr. Bliss' property or the property behind it. The open space needs to be protected.

ACTION:

Motion by Gregory Todaro, seconded by Richard Bigler, pursuant to Article 8 of the Environmental Conservation Law to seek Lead Agency Status and **commence** a coordinated review among involved agencies on the proposed Bliss Demolition project at 8660 Greiner Road. This Type I Action involves the demolition of structures built prior to 1950.

Jeffery Buckley	Aye	Steven Dale	Aye	Gregory Todaro	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Meeting adjourned at 8:11 p.m.

Carolyn Delgato
Senior Clerk Typist