

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday May 4, 2016

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

Clarence Fire District #1
Traditional Neighborhood District

Requests Development Plan Approval for construction of additions/modification to the existing firehouse at 10355 Main Street.

Item 2

Towne BMW
Commercial

Requests a Recommendation on a façade update at 8215 Main Street.

Item 3

Bevilacqua Development
Commercial

Requests Concept Plan Approval for a proposed commercial plaza development at 6031 Transit 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
2nd Vice-Chairperson Wendy Salvati
Gregory Todaro
Jeffrey Buckley

1st Vice-Chairman Richard Bigler
Timothy Pazda
Steven Dale

Planning Board Members absent: none

Town Officials Present:

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

Other Interested Parties Present:

Robert Michael

Jim Schlabach

Gabe Maddalena

Chairman Sackett explained the protocol for the meeting noting that Mr. Callahan will introduce each project, the applicant will have the chance to add any additional comments regarding the project. The Board will ask the applicant further questions. Then the audience is given the opportunity to speak on the project. The appropriate person may answer the questions. The Board will then act on the proposal.

Item 1

Clarence Fire District #1
Traditional Neighborhood District

Requests Development Plan Approval for construction of additions/modifications to the existing firehouse at 10355 Main Street.

DISCUSSION:

Jim Callahan provided the background on the project noting that it is an existing firehouse located on the south side of Main Street, east of Shisler Road in the Clarence Hollow Traditional Neighborhood District. The applicant previously received Concept Approval and a Special Exception Use Permit on the project. The Town Engineer has reviewed the submitted details and approved the design which is in conformance with the approved Concept Plan. The Planning Board will have final review and approval authority on this action.

Jim Schlabach is present. Mr. Schlabach is one of the commissioners of the Clarence Fire District #1, he is also one of the Building Committee chairmen.

Chairman Sackett asked if there were any changes made to the Concept Approval during the engineering stage. Mr. Schlabach said no.

Mr. Todaro referred to the plan and noted that there is a diesel pump in the back of the building, he asked if that pump is new or existing. Mr. Schlabach said it is existing and is a combination diesel fuel tank and generator, there is a generator sitting on top of the tank that was installed in 2006. It is a generator that runs the building. There is a pump attached to the diesel fuel tank that they fill their fire engines with. Mr. Todaro referred to the street light in front of the building and said its location was discussed at Concept Plan and asked if it is aligned properly for the front of the building. Mr. Schlabach said yes, he went on to explain that they are not changing the actual exit from the property onto Main Street. None of that is changing from the west side entrance to the east side, it is still the same width. All of the fire trucks will be funneled into that existing area.

Chairman Sackett asked when construction will begin. Mr. Schlabach said they are putting it out to bid, the bids are open until June 1, 2016. As long as the bids come in under their proposed budget, the expect construction to start sometime in June. The architects advise it will be a 12-13 month project.

ACTION:

Motion by Tim Pazda, seconded by Richard Bigler, to **approve** the Development Plans for the Clarence Fire District #1 Expansion Project as per the submitted drawings from Stiglitz Snyder Architecture dated April 20, 2016, with the following conditions:

1. Subject to review and approval by the Town Engineer of required PIP Permits.
2. Subject to review and approval by all regulatory and private utility agencies.
3. Subject to review and approval by the Building Department on required Building Permits.

| | | | |
|-----------------|-----|----------------|-----|
| Jeffrey Buckley | Aye | Steven Dale | Aye |
| Gregory Todaro | Aye | Timothy Pazda | Aye |
| Wendy Salvati | Aye | Richard Bigler | Aye |
| Robert Sackett | Aye | | |

MOTION CARRIED.

Item 2

Towne BMW
Commercial

Requests a Recommendation on a façade update
at 8215 Main Street.

DISCUSSION:

Mr. Callahan provided the background on the project noting that it is located on the south side of Main Street, east of Transit Road. The applicant has an existing automotive dealership and is proposing additions and rehabilitations of that existing structure. Per the Zoning Law, the Planning Board has review and approval authority on the architectural style and building permits.

Bill Wincott is representing Towne BMW and the Towne Auto Group. They are proposing the latest revision to the BMW store on Main Street to meet the new requirements of the BMW Motor Company. Mr. Wincott referred to the rendering and said there is one correction: the cars should be above the retaining wall not below it. The project entails the demolition of about 10,000 square feet of the existing facility, with a 17,000 square foot first floor addition to that and 10,000 square foot second floor addition. The second floor addition would be showroom and sales offices. The project entails relocation of the service drive-thru entry, which is in the middle of the building now. It will be relocated to the west side for easier access from the entrance. It will entail some delivery bays which will exit out of the front of the building off of a covered parking area. The actual footprint of the building will remain the same as far as the setback is concerned. There is a proposed approximate 8' overhang on the front of the second floor. There are some support columns that will be located underneath the overhang, there will be greenspace islands surrounding each of those columns, basically for protection of the columns, and there will be landscaping on those islands. The existing lighting will be changed over to LED lighting, similar to what is across the street, and they will be dark sky compliant. The building will be glass with white aluminum coated panels, similar to what is across the street only white in color.

Chairman Sackett said if this was approved tonight what start and finish date for construction would the applicant anticipate. Mr. Wincott said they would hope to start construction at the end of July 2016 and would last 12-15 months. It will be done in phases to allow the dealership to maintain operations. The first phase would be the new service drive-thru area, which they can build while leaving the original up. Once the drive-thru area is complete operations can be shifted over.

Chairman Sackett referred to the site plan and asked if new light standards are depicted. Mr. Wincott said there are a couple aluminum lights and only a few steel lights, the steel will be changed to aluminum.

Chairman Sackett noted the discussion on placing trees along the street as long as it doesn't violate the business, he asked Mr. Wincott to comment on this issue. Mr. Wincott said they are looking at putting gravel with landscaping around the light pole areas. They are considering a smaller ornamental tree which would be put up by the building as well. Chairman Sackett suggested the applicant talk to his landscape architect to plant trees with height, not to block the business but to add some height to the landscaping.

Mr. Bigler asked if there will be a temporary trailer brought in for office use or other uses during construction. Mr. Wincott said there has not been a final decision on that yet but he thinks there will be. It would be a prefabricated model with skirt, it would be placed to the west side of the property. One trailer will probably not be adequate for the business but that is all that will fit on the site. If a permit is required for the trailer, the applicant will obtain that.

Mr. Dale referred to the east elevation and said the second floor showroom has windows. He voiced his concern about protecting the privacy of the neighbor to the east. Mr. Wincott said they will probably not put those windows there. Mr. Dale said if they were to put windows in there would the applicant agree to put one-way glass so light can come in but light and people from inside the showroom can't come out. Mr. Wincott said they will not have any windows on the east side of the building.

Mr. Buckley asked if the applicant is proposing any construction or alterations to the rear third of the building or sides of the building. Mr. Wincott said the service area back there is not scheduled for any alterations, that is the only part of the building they are not touching. Mr. Buckley asked if the applicant anticipates any alterations in traffic patterns for the service bays during construction. Mr. Wincott said it should not be necessary.

Mrs. Salvati suggested the applicant make sure any trees that are planted out front can tolerate salt spray. Mr. Wincott said they are planning and saving the tree. He confirmed that the first phase of construction will be the service department. They will do the demolition of the area and then construct what they can. There will be some interior modifications before that so they can open up space where the drive-thru is to give them interior space servicing the sales and service customers. Mrs. Salvati referred to the lighting on the site and asked for details. Mr. Wincott said the hours of operation will be until 9:00pm three (3) nights a week. At the present time the showroom lighting is turned off when the cleaning crew is complete, then it is down to security lighting. The parking lot lighting is turned off, except for security lighting, at 10:00pm every night. Mr. Wincott said there will be low-level lighting on the second floor, it will not be lit to highlight the cars.

Mr. Bigler asked if the windows will be open all the time for viewing or will there be banners and billboards in there. Mr. Wincott said no there will be none of that, no pendants or neon lights hanging in the windows, it will be as clean and as simple as they can make it.

Mr. Pazda asked for confirmation that no lighting will be added at the site, and that the applicant is only changing the stanchions and changing to LED. Mr. Wincott confirmed there will be no additional lighting at the site; they will change existing lighting to LED. Mr. Wincott said the existing light standards are 20', these were legal when they were put in. Mrs. Salvati said the new code requirement is a maximum height of 15'. Mr. Wincott is only changing the lenses and the heads on existing lights. Mr. Callahan clarified that the Building Department will handle this issue.

Gabriel Maddalena of 4256 Foxwood Lane wanted to make sure the Board knows the residents in the area have had an issue before with lighting. He welcomes the business but asked that they stick to their

promises regarding the lighting for the residents. Mr. Maddalena asked if the PA system will be changed, will it be louder? He also voiced his concern with parking cars on the second floor, will there be a ramp or an elevator?

Mr. Wincott said the PA system will not be changed. There is a car elevator located at the northwest corner of the building that will transport the cars up and down. It is strictly for cars, it will not be a pedestrian elevator. To the south of the stairwell is a handicap accessible elevator.

ACTION:

Motion by Wendy Salvati, seconded by Steve Dale, pursuant to Article 8 of the Environmental Conservation Law to **issue** a Negative Declaration on the proposed Towne BMW additions and renovations located at 8215 Main Street. This Unlisted Action involves the rehabilitation of the existing BMW Dealership. After thorough review of the proposed site plan, elevations and Short Environmental Assessment Form it is determined that the proposed action will not have a significant negative impact upon the environment.

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|-----------------|-----|----------------|-----|
| Jeffrey 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 Gregory Todaro, to **approve** the architectural style of the proposed renovations at Towne BMW, 8215 Main Street, as per the submitted drawings from D.R. Chamberlain Corporation dated March 16, 2016, with the following conditions:

1. Subject to review and approval by the Town Building and Engineering Department on required Building Permits.
2. Subject to Landscape Committee review and approval of an updated landscape plan prior to Building Permit issuance.
3. Site lighting to be dark sky compliant and shielded to avoid spill toward adjoining properties and Main Street. All lighting, including interior display lighting shall be dimmed/turned off one hour after the close of business allowing security lighting only after regular business hours.
4. Subject to Open Space and Recreation Fees.
5. The windows on the second floor of the east side of the building will be removed.

ON THE QUESTION:

Condition #5 was added, Wendy Salvati and Gregory Todaro both agree to this addition.

Mr. Wincott understood and accepted the conditions.

Mrs. Salvati suggested the applicant make every effort to ensure the lighting does not adversely impact the surrounding neighbors.

It is noted that the elevations indicated on the plans are incorrect, they will be corrected.

Jeffrey Buckley Aye
Gregory Todaro Aye
Wendy Salvati Aye
Robert Sackett Aye

Steven Dale Aye
Timothy Pazda Aye
Richard Bigler Aye

MOTION CARRIED.

Item 3

Bevilacqua Development
Commercial

Requests Concept Plan Approval for a proposed
commercial plaza development at 6031 Transit
Road.

This item has been removed from the agenda at the request of the applicant.

Meeting adjourned at 7:35 p.m.

Carolyn Delgato
Senior Clerk Typist