

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, September 1, 2021

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 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

Designer Homes of WNY, LLC
Residential Single Family &
Agricultural Rural Residential

Requests Minor Subdivision of land approval to create three (3) new vacant lots located at Kraus Road SBL # 58.00-4-19.2 & 5450 Kraus Road.

Item 3

Life Storage, Inc.
Commercial

Requests Conceptual review of a proposed renovation and expansion to the existing self-storage facility at 8161 & 8176 Main Street.

Item 4

Richard E. McNamara
Industrial Business Park

Requests Development Plan approval for an expansion to the existing business operation(s) at 8615 Roll Road.

Item 5

Matthew Long, Long Associates Architects
Restricted Business

Requests Site Plan approval for an existing office building site renovation at 8855 Sheridan Drive.

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

Councilman Robert Geiger led the pledge to the flag.

Planning Board Members present:

Chairman Robert Sackett
Gregory Todaro
Jason Geasling
Jason Lahti

Vice-Chair Richard Bigler
Jeffrey Buckley
Patrick Johnson

Planning Board Members absent: Wendy Salvati

Town Officials Present:

Councilman Paul Shear
Director of Community Development Jonathan Bleuer
Junior Planner Andrew Schaefer
Councilman Robert Geiger
Deputy Town Attorney Steven Bengart

Other Interested Parties Present:

Robyn Cierniak	Sean Hopkins	Troy Marrocco	Tony Van Vilet	Ryan
WeissMark Davis	Nancy Koehler	Fred Koehler	Tim MacVitie	

Motion by Gregory Todaro, seconded by Richard Bigler, to **approve** the minutes of the meeting held on July 21, 2021, as written.

Jason Lahti	Abstain	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

Item 1

Uniland Development
Lifestyle Center

Requests 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 the project, located at 4475-4545 Transit Road, an existing mall within the Lifestyle Center District on approximately 106 acres.

The applicant is present this evening, requesting consideration of a 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 approximately: 1,222,750 sq. ft commercial space, and 879 residential units.

In 2014 the Town began researching and developing strategies to encourage the redevelopment of current and former “big-box” multi-tenant commercial sites into well designed, mixed use lifestyle centers. The adopted policy came in 2016 upon the adoption of Clarence 2030, the Town’s Comprehensive Plan.

From 2015 through 2018, the Town developed a new Zoning District classification, known as the Lifestyle Center District, which was adopted as law in the spring of 2018.

In late 2018, the Town legally rezoned the properties associated with the Eastern Hills Mall to Lifestyle Center District.

In 2018, Uniland Development partnered with mall ownership Mountain Development to explore the possibility of a redevelopment of the Eastern Hill Mall per the guidance of Clarence 2030, and standards found within the Lifestyle Center District Zoning Code.

The initiation of a coordinated review under the State Environmental Quality Review Act will allow for involved agency and interested party comment.

Sean Hopkins from the law firm Hopkins Sorgi & McCarthy PLLC was present and introduced the Project Team.

Troy Marrocco, Senior Associate and Project Manager with BCT Design Group presented a slideshow of the full Development Application, which can also be found on the Town of Clarence's website.

The Master Plan and design approach will revitalize the Eastern Hills Mall with a design approach that incorporates mixed uses, and a series of outdoor spaces to promote an authentic enhanced sense of community.

The Master Plan has been broken down in to two primary phases, and then potential future buildout. Phase One is where the heart, and new identity will be created for Eastern Hills to welcome both residents and visitors.

In Phase Two they will extend the street to the south with a new main street that will convert the existing indoor mall space to an indoor outdoor conversion and wipeout street.

The potential future buildout is when they will develop the density and expand the site based off the successes of the first two phases.

Phase One will begin with engaging Transit Road, creating a new east – west road for better access to and thru the site, creating the new activity node which they call “the heart”. This will consist of a curbless environment around office, residential, and “play” areas.

Mr. Marrocco stated that part of the plan is to create a mobility hub at the site of the existing Firestone building, to encourage transit for both residents and office employee use.

One of the great opportunities that they are adding to the site, is a 1.4 mile recreation trail, which will run along the perimeter of the site, which will also evolve with the residential development to the east.

Phase Two will focus on the successes of Phase One, extending the main street to the south for more outdoor environment.

The residential aspect will be market driven, as they proceed forward with the plans, with a buffer in place to mitigate any concerns with existing neighborhoods.

Future phases will be designed to continue having a stronger presence along Transit Road which will include mixed use, office, and residential density.

They desire to provide unique, warm, and accessible places for visitors, thus finding the combination of lighting, pavement, and materiality help to give the site a comfortable environment that people will enjoy. Additionally, a feeling of local character and flavor gives the site a sense of authenticity.

Mr. Marrocco further reviewed the potential project, including the conversion in the phases. With Phase One, there is the opportunity to maintain the existing center, due some light design work to maintain an entry then in Phase Two, light construction would build to open up the space towards the south.

Considering winter uses like skating rinks, outdoor opportunities are something that they feel would be ideal for the community and for the area.

Mr. Hopkins reviewed the project's current status, and how the plan to move forward will proceed. A binder was submitted to the Planning and Zoning office which includes all of the information and details regarding the project.

With the Lifestyle Center District zoning comes a wide range of allowable uses, including retail, office, residential, community facilities, entertainment, hospitality, mixed use, etc. Mr. Hopkins stated that their goal is to bring all of those uses to the site.

Mr. Hopkins identified the process, where they are currently, and how they move forward. The Lifestyle Center district has a two-step review process, they are currently in step one which is known as conceptual master plan application review which entails a lot of detailed conversation.

The State Environmental Quality Review Act will be a large part of this process, and a Coordinated Environmental Review is anticipated as well, ultimately with the Planning Board acting as Lead Agency.

Mr. Hopkins further reviewed the full process for project approval.

State Environmental Quality Review Act shows the site conditions as they exist today, which is no landscaping, no green space, basically a typical, outdated mall. They would like to replace it with a final buildout that has plenty of greenspace, a mixture of uses, opportunities for pedestrian connectivity, recreational trails and more.

Mr. Hopkins noted that they have also submitted a conceptual master landscape plan which when compared to the current site conditions, shows a lot of greenspace, trees, and even greenspace along Transit Road. By providing greenspace along Transit Road, they feel that it will create a much more welcoming environment.

Mr. Hopkins noted that three email comments were received at the Planning Office and shared with him and the team. Mr. Hopkins wanted to note that any and all comments received in writing or otherwise as this process proceeds, they will make every effort to address those concerns and comments.

Mr. Hopkins added that within the next few months they will be conducting an informational meeting, specifically with the nearby property owners.

Mr. Hopkins noted that the three emails which were received were from the following residents:

- David Jernigan of 4561 Gentwood Drive, whose comment concerned the location of the proposed recreation trail. Mr. Hopkins stated that they envision the trail being more interior, providing direct access to the recreational and commercial components.
- Richard Kaufman of 4592 Gentwood Drive, who inquired about status of the existing retention pond on the site, Mr. Hopkins stated that it currently looks unsightly, and has not been very well maintained over time, but that they do envision improvements will be made. They will need to take a closer look at the retention pond itself in terms of depth and the grades to see if a fence is necessary for safety purposes. They can assure everyone that it will be improved compared to what currently exists.

Mr. Hopkins noted that Mr. Kaufman also asked a question regarding possible connectivity and land owned by the Western New York (WNY) Land Conservancy. Conversation has begun with a representative from the WNY Land Conservancy and Mr. Hopkins stated that the developer would welcome the opportunity to add connectivity with this portion as well. Mr. Hopkins did note that the land is currently a designated Conservation area, so it may not be possible to do, but they will make the effort.

- Robert Dommer of 4607 Gentwood Drive asked about possible connectivity to Main Street. Mr. Hopkins stated they plan to provide direct vehicular and pedestrian access to Main Street.

Mr. Dommer also inquired about possible patio homes located near or on the southeast portion of the site. Mr. Hopkins stated that currently they are showing two-story attached townhomes on that portion of the site. Currently their plans are for the residential portion of the site to become denser towards the westerly portion of the site.

Mr. Hopkins identified a concern regarding electric service, stating that they will do their due diligence to assure adequate electricity is adequate and provided for the site.

Mr. Hopkins stated that they have projected a full buildout to be completed in 20 years, although their goal is to have it completed sooner than that.

Chairman Sackett thanked Mr. Hopkins and the development team for attending the meeting, and bringing a project of this size to Western New York.

Referring to Phase One, Mr. Sackett asked about the measurement of greenspace that they plan to incorporate. Mr. Marrocco responded, noting the importance of greenspace, and the current conditions along Transit Road are quite sparse. The incorporation of some greenery and buffer edge, along with the incorporation of a recreational trail loop, leads to the opportunity for a unique use of greenspace.

Mr. Sackett asked for a measurement in terms of the quantity of greenspace. Mr. Marrocco responded that as they develop the design, they will be able to provide that information to the board.

Mr. Sackett asked with regards to the residential use planned for Phase One, whether any consideration was given to a recreational component for that time as well. Mr. Marrocco responded that the recreational trail is part of Phase One, and that it will evolve as the site grows. The loop of the trail will evolve with the residential development, beginning with the perimeter of the site.

As Phase Two develops, the trail will begin to loop in and through those connectivity's as the site begins to strengthen.

Patrick Johnson asked about the input of residential units in Phase Two, he would think that there is significant revenue with the residential units, and inquired as to why they are waiting for Phase Two for this aspect.

Mr. Hopkins responded that they are waiting due to the existing downstream sewer capacity. One of the benefits of commencing a Coordinated Review is to provide the agencies with jurisdiction over sewer improvements including the Town of Clarence, Erie County Sewer District No. 5, and provide the involved agencies with the opportunity to comment. If they come up with a solution, which is necessary with this project, then the scope of Phase One could change. They have designed around the existing capacity in the downstream system. It is a very important part of the project, and they need to collaborate with the other agencies in the jurisdiction for the aspect of the project.

Mr. Marrocco added that from a design and practicality perspective, there is a greater opportunity in the northern buildings to adaptively reuse those buildings. They convert better in to commercial uses than they do in to residential. One of the only new buildings that are planned for Phase One is the residential.

They feel that it is important to create the center, the node, utilizing the fabric that they currently have on the site before they build a lot of new stuff.

Mr. Johnson asked Mr. Marrocco about the reference of the current Firestone building, and converting that to a transportation node. Mr. Marrocco responded that because the existing Firestone building sits right on the site, there is an opportunity to adaptively reuse the building, working it in to a transit hub.

Mr. Todaro asked what they foresee for full buildout density of the residential component, Mr. Marrocco responded that it will be more market driven, but you can begin to see the density develop in Phase Three. Currently the Master Plan shows 879 units in a variety of configurations.

Mr. Todaro also asked how security will be handled on the site in regards to first responders. Also, what does the successes of phases look like, is there a distinct milestone as far as completion.

Mr. Hopkins addressed the comment regarding the measurement of success for an individual phase, stating that will revolve. Phase One does not necessarily need to be completed in its entirety before Phase Two begins, but rather based on the success of a specific mix of components. They hope to not have big gaps of time between phases, but rather a continuity of progress.

Kevin Kirk, Director of Planning and Design for Uniland Development responded to the question regarding property management, stating that they have a full staff in-house that oversees all of their properties. They would do the same with this site, running and operating the properties on a short term basis. Currently the responsibilities are shared between them and Mountain Development as their

partner, which would continue for the short term. As the project progresses, Uniland's property management team would fully oversee the site.

Mr. Todaro asked whether there will be residential associations where specific responsibilities of homeowners will vary, the same with the commercial properties.

Mr. Hopkins responded that they do not expect any associations to be connected with the commercial, entertainment, or retail components, but there may be for the residential components, that will depend on the form of structure

Mr. Hopkins explained that as they have it planned, the infrastructure of the site will be private, which means from a town's perspective they will not be carrying any long term responsibility for expenses on the site.

In terms of security, Mr. Kirk stated that they do not have any thorough plans on that yet, but once they do they will pass that information on to the board.

In regards to Public Participation, the following residents spoke:

- Tom Gall of 4601 Gentwood Dr.:
 - What will be the distance from the residential units to the property line of the homes on Gentwood?
 - Concerned about the size of homes that will be built, and how they will compare to the single family homes found on Gentwood
 - Phase One indicates trees in what is currently the parking lot behind the residences on Gentwood, what is the plan for that area during Phase One?
- Annette Gall of 4601 Gentwood Dr.:
 - Security has been an issue over the last couple of years, especially in the northeast area. It is very important that some form of blockage is installed between Phase One and Phase Two.
 - Concerns about the trail that will be installed around the mall, without any landscaping between the residential area, no spacing or greenery along the border between the residents and the parking area, if that is all removed anyone can walk in to their backyards.
 - Regarding the trees that currently exist in the corner behind the residences, will they leave those up for the time being in order to keep up some greenery.
- David Jernigan lives adjacent to the retention pond
 - As stated in the email that he submitted, his primary concern is where the trail will get too close to his daughter's bathroom and bedroom windows are approximately 20 ft. from that trail. He requests that if the trail does need to be installed there, he requests a privacy fence or some other form of privacy buffer be added.
- Mark Davis, Attorney with Lippes Matthias Wexler Friedman LLP, representing Raymour and Flanigan

- Raymour and Flanigan has concerns regarding their existing lease, and the future development of the site.
- They acquired their lease in 2018 as part of the BonTon bankruptcy.
- They have put a large amount of investment in to renovations
- The store has high visibility from Transit Road.
- Shortly after Raymour and Flanigan acquired the lease, the landlord asked if they would consent to the redevelopment of the site. Raymour and Flanigan stated no, they have a newly acquired lease with rights connected to the existing lease.
- A letter from Raymour and Flanigan was submitted to the landlord of the property with their specific objections and concerns in January, 2020 which Mr. Davis will submit to the Planning Office to be kept on file in the record.
- The company has made a substantial investment to this location, they provide many jobs and pay taxes. Their main concerns with this project are access, visibility, and parking.
- Mr. Davis stated that the conceptual plan that they have seen shows significant parking changes and nearly no parking near the two entrances of Raymour and Flanigan.
- Mr. Davis stated that as the project moves forward, the applicant be directed to have consultation with Raymour and Flanigan, respect the existing lease rights, and respect the investment that has been made by Raymour and Flanigan.

Mr. Davis added that because of the relationship between Raymour and Flanigan and the landlord, his law office was retained.

Mr. Bengart stated that we will accept the correspondence for the record, but that some of these matters are private matters between private parties.

Mr. Buckley asked Mr. Davis what the terms of the lease are, Mr. Davis responded that the lease goes until 2027 with options to renew through 2037.

Public Participation for this project has been closed for the meeting.

Mr. Hopkins responded to the concerns and questions of the residents, beginning with Mr. Jernigan, stating that they will further explore his concerns of the trail wrapping around his home near his daughter's bedroom and bathroom windows.

Mr. Hopkins stated that the recreational trail won't be a paved recreational trail right on the property line, there will be greenspace and landscaping.

Mr. Hopkins noted that other concerns related to existing conditions specifically trespassers. They are unaware of these issues and will have further conversations with the current property owners.

Mr. Sackett asked if there is presently mall security, which there is. Mr. Kirk responded that they were unaware that this was an issue, but they will talk to neighboring properties to help formulate a future plan.

Mr. Hopkins added that this is step one of a lengthy and detailed process. They look forward to engaging and working directly with property owners.

Mr. Bleuer stated that there were two specific questions raised by residents:

1. Distance from the proposed residential units to the property line
2. In at least Phase One do they anticipate any changes to the southeast parking lot.

Mr. Hopkins responded that in terms of the setback of the proposed residential structures to the two existing subdivisions to the southeast, a conceptual plan shows at minimum from the property line to the nearest point of the structure, a proximity of 30-45 feet, with landscaping included as well.

An important aspect of the Lifestyle Center district is that it does not allow for detached, single family homes.

In terms of the southeast parking lot, Mr. Kirk responded that is more of a phasing question, they will treat only the north end of the property, ignoring the south. The idea is that they take the existing mall and work with that, including landscaping and resurfacing some parking. No buffering will be removed during Phase One, but rather maintained.

Mr. Bleuer noted that this full application is hosted and available on the town’s website.

ACTION:

Motion by Robert Sackett, seconded by Richard Bigler pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Long Environmental Assessment Form as submitted and to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the proposed Eastern Hills Mall Redevelopment at 4475 through 4545 Transit Road in the Lifestyle Center zoning district. This Type I Action involves the redevelopment of the Eastern Hills Mall into a Town Center mixed-use development.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Item 2

Designer Homes of WNY, LLC Residential Single Family & Agricultural Rural Residential	Requests Minor Subdivision of land approval to create three (3) new vacant lots located at Kraus Road SBL # 58.00-4-19.2 & 5450 Kraus Road.
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DISCUSSION:

Mr. Bleuer introduced this project, which is located on the west side of Kraus Road, north of Greiner Road, an existing 11.7 vacant acres in the Residential Single Family and Agricultural Rural Residential zones.

The applicant is requesting a Minor Subdivision of land to create three (3) new vacant building lots. The remaining fourth parent parcel will be reduced in size through a lot line adjustment process, resulting in a total of four (4) vacant building lots. Lot 1 is located within the Agricultural Rural Residential zone, while lots 2-4 are located in the Residential Single Family zone.

Ken Zollitsch of Greenman Pederson Inc., was present to further explain the request, noting that there are 4 frontage lots on Kraus Road. It does encompass two parcels currently, one which is owned by Spaulding Green LLC and the other one is owned by the applicant. They are looking for a land swap with Spaulding Green where they would take some frontage on Kraus Road, then they will provide some Open Space in the back near Spaulding Green.

They added a recreational trail coming from the Spaulding Green property up to Kraus Road.

The lots are 1 acre in size, located on septic, and serviced by existing services on Kraus Road.

Mr. Todaro asked to confirm the width of the properties, Mr. Zollitsch responded that the 3 located within the Residential Single Family zone are 125 ft. in width, while the other which is split between the Residential and Agricultural zones is 150 ft. in width.

Mr. Todaro confirmed with Mr. Zollitsch that there is no planned disturbance of the Wetlands in any of the area behind the property, Mr. Zollitsch agreed.

Mr. Todaro then asked about the stormwater which discharges on to Kraus Road, which Mr. Zollitsch confirmed that the water in questions flows northerly.

In regards to Public Participation, no one spoke.

Mr. Todaro stated that one letter of correspondence was received in the Planning Office via email from Robert Wallace, of 20 Paddock View. He asked about the parcel which is designated Open Space behind the lots, is the intent to keep it as Open Space in the future, and is there a plan to integrate with existing Open Space.

Mr. Zollitsch responded that he is not aware of any future development in that space, and it is counting towards the total percentage of open space that is required for the project.

ACTION:

Motion by Gregory Todaro, seconded by Patrick Johnson 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 Designer Homes of WNY, LLC Minor Subdivision at Kraus Road SBL 58.00-4-19.2 and 5450 Kraus Road. This Unlisted Action involves a lot split to create three (3) new lots in the Agricultural Rural Residential and Residential Single Family zones. After thorough review of the submitted sketch plan and Environmental Assessment Forms it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Motion by Gregory Todaro, seconded by Jeffrey Buckley to **approve the Designer Homes of WNY, LLC Minor Subdivision** at Kraus Road SBL 58.00-4-19.2 and 5450 Kraus Road as per the submitted sketch plan received in the Planning Office on August 19th, 2021 with the following conditions:

1. Review and approval by the Town of Clarence Highway Department for any future access to Kraus Road from the newly created lots.
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. Creation of a drainage easement to the Town of Clarence per the recommendation of the Town of Clarence Highway Department for the existing ditch located on lots 3 and 4, upon review and approval of the Town of Clarence Engineering Department. The easement shall be submitted to the Town Legal Department for review and approval prior to filing. 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. Should any further drainage easements be required to address on-site drainage issues on the properties, appropriate easements shall be submitted by the applicant and approved by the Town Engineering, Highway and Legal Departments.
6. Subject to Open Space and Recreation Fees.

Mr. Zollitsch heard, understands, and accepts the conditions as stated.

ON THE QUESTION:

This is the maximum allowable number of lot splits under Minor Subdivision review. Any future proposed lot splits associated with the property shall be subject to a Major Subdivision review.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Item 3

Life Storage, Inc.
Commercial

Requests Conceptual review of a proposed renovation and expansion to the existing self-storage facility at 8161 & ~~8176~~ 8175 Main Street.

DISCUSSION:

Mr. Bleuer introduced this project, located at 8161 & ~~8176~~ 8175 Main Street, currently an existing pre-existing non-conforming self-storage facility located in the Commercial zone.

The applicant is proposing to demolish a single traditional one-story metal clad self-storage building (7,600 sq. ft.), and construct a new two-story climate controlled self-storage building (32,760 sq. ft.).

This proposal will require a variance from the Zoning Board of Appeals to allow the expansion of a non-conforming use, as self-storage facilities are an enumerated allowable use in the Industrial Business Park zone only.

Robyn Cerniak from Greenman Pedersen Inc., and Tim McVittie from Life Storage were both present to further explain the project.

Ms. Cerniak stated that they are seeking Conceptual Review of a climate controlled, two-story building. There are currently 15 buildings on the site, the area of new construction has a building on site, is mainly asphalt, and there are no changes to the Stormwater runoff to the site. The building is proposed to be fully sprinklered, therefore a water connection will need to be made. There are no restrooms proposed so there will not be any domestic or sanitary water supplies to the building.

During previous planning board executive meetings, the town has requested widening of the egress for emergency vehicle access, which they plan to comply with.

The Planning Board asked for additional landscaping to the west of the site which they will also comply with.

Site lighting will be dark sky compliant.

In regards to Public Participation, no one spoke.

Mr. Bigler asked about wall pack lighting on the side of the building, which he did not see in original plans.

Mr. McVittie responded that they are the same elevations, and the wall packs have been shown since the beginning. They are for security purposes, are dark sky compliant and fully shielded, they won't cast a lot of light. They would be willing to put them on a motion sensor if need be. Mr. Bigler responded that he was concerned about the shielding, so if that has been handled then he has no additional concerns.

If they get to the point, they will do a full lighting plan to be included with full design documents.

Mr. Bigler asked how far the beginning of the building is from Main Street. Ms. Cerniak responded that they will look in to that and get back to them with that information.

Mr. Bigler noted that they will be losing a couple of parking spots to storage areas, Mr. McVittie responded that they are eliminating the outdoor rental parking spaces with the traditional drive up unit, and adding 4 parking spaces to the south side of the building. This parking is for the customers that have storage in the proposed building.

ACTION:

Motion by Richard Bigler, 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 Life Storage, Inc. project at 8161 and ~~8176~~ 8175 Main Street. This Unlisted Action involves the renovation and expansion of the existing self-storage facility in the Commercial zone. After thorough review of the submitted plans, documents, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

ACTION:

Motion by Richard Bigler, seconded by Gregory Todaro to **deny the Life Storage Site Plan** at 8161 and ~~8176~~ 8175 Main Street per the submitted drawing by GPI dated June 10th, 2021 and received in the Planning Office on June 16th, 2021.

ON THE QUESTION:

While the proposal meets the dimensional standards of the Commercial zone, self-storage facilities are no longer a permitted use in that zone. The renovation and expansion of this pre-existing non-conforming use requires Zoning Board of Appeals approval.

If the applicant chooses to make an appeal to the Zoning Board and is successful, this proposal must return to the Planning Board for Site Plan review.

The applicant understands and agrees.

Mr. Geasling asked about the addresses, stating that having one numeric that is odd and one that is even would indicate they are across the street from each other, not next door.

Ms. Cerniak stated that they show 8161 and 8175 Main Street.

The motions were corrected to show 8161 and 8175 Main Street.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Item 4

Richard E. McNamara
Industrial Business Park

Requests Development Plan approval for an expansion to the existing business operation(s) at 8615 Roll Road.

DISCUSSION:

Mr. Bleuer introduced this project, which is an existing 2.45 acre parcel located in the Industrial Business Park zone, containing existing industrial business operations throughout multiple structures.

The applicant is requesting Development Plan approval for the expansion of the business operations, to include two new industrial warehousing and light manufacturing buildings. Each building contains approximately 12,180 sqft. The project includes the demolition of existing outbuildings to the rear, and the installation of facilities associated with the expanded operations.

This proposal has previously received a Negative Declaration under the State Environmental Quality Review Act in December of 2019 and Concept Plan Approval in June of this year, both by the Planning Board. Finally, the project received variances from the Zoning Board of Appeals in March of 2020 for reduced side and rear yard setbacks.

Mr. McNamara was present to request final approval for this project.

Mr. Geasling asked about the Stormtech System, the elevations show 6 in. of stone on top of the system, but if the exact system is being used as what is shown, they show an 18 in. minimum of stone on top.

Mr. McNamara responded that Carmina Wood took care of all of the engineering, which has also gone through the Town of Clarence Engineering Department and been approved.

Mr. McNamara said he would look in to it, but that everything had been reviewed multiple times with adjustments made as needed.

Mr. Geasling asked about the storm pipe detail, it appears to work everywhere except on the southwest building, on the south end. Based upon the grading, there does not appear to be enough cover over the pipe.

Mr. McNamara responded that he will consult with the contract and his engineer regarding those concerns.

Mr. Bleuer stated that he will make the Town Engineer aware of these comments as well.

In regards to Public Participation, no one spoke.

ACTION:

Motion by Jason Geasling, seconded by Richard Bigler to **approve the Richard E. McNamara Development Plan** at 8615 Roll Road per the submitted drawing set by Carmina Wood Morris, dated May 2021 with a revision date of August 2021 and received in the Planning Office on August 20th, 2021 with the following conditions:

1. As per the Town of Clarence Engineering Letter of Approval dated August 18th, 2021, and associated conditions.
2. Subject to Town Building and Engineering Department approval prior to any permits obtained for the construction on the property.

3. All site lighting shall be dark sky compliant and shielded to prevent spillage onto adjoining properties.
4. Structures to be constructed per the approved Development Plan building elevation plan detail, and maintained in perpetuity.
5. All fencing and gating to be installed per the approved Development Plan, and maintained in perpetuity.
6. Dumpster area shall be enclosed per the approved Development Plan, and enclosure shall be maintained in perpetuity.
7. Lot to be striped and maintained as approved in perpetuity. No parking of vehicles outside the designated parking areas.
8. The thickness of the stone parking lot shall be per the approved Development Plan.
9. Light manufacturing, warehousing and storage are considered acceptable uses on the property. Other proposed uses shall be approved by the Planning Office and in accordance with the Town of Clarence Code prior to operation.
10. No automotive repair to occur on the property.
11. No outside storage to occur outside of the fenced area.
12. No placement of signage without proper permit.
13. Subject to Open Space and Recreation fees.

Mr. McNamara understood and agrees to the conditions as stated.

Patrick Johnson	Abstain	Jason Lahti	Abstain	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Item 5

Matthew Long, Long Associates Architects
Restricted Business

Requests Site Plan approval for an existing office building site renovation at 8855 Sheridan Drive.

DISCUSSION:

Mr. Bleuer introduced this project, located at 8855 Sheridan Drive, southwest corner of Sheridan and Shimerville Road.

An existing .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 locating an architectural office in the building, previously approved for renovation. In addition, the applicant is proposing modifications to the existing site access and parking lot.

A coordinated review under the State Environmental Quality Review Act has been conducted, this action was started by this Planning Board. Comments have been received, and nothing in those comments would prevent an action by this board.

Mr. Long of Long Associates Architects was present, with no additional comments.

Mr. Buckley complimented Mr. Long on the building, noting that the windows look great. Mr. Long has worked closely with the Planning Board Executive Committee regarding access from the parking lot on to Sheridan.

Mr. Sackett commented in regards to the proposed extension of the parking lot off of Shimerville road is fine, but believes the Sheridan Drive portion would need further review.

Mr. Long stated that he is okay without that.

ACTION:

Motion by Jeffrey Buckley, seconded by Jason Geasling 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 Long Associates Architects project at 8855 Sheridan Drive. This Unlisted Action involves a site and parking reconfiguration in the Restricted Business zone. After thorough review of the submitted plans, documents, comments, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Motion by Jeffrey Buckley, seconded by Patrick Johnson to issue **Site Plan approval** for Long Associates Architects at 8855 Sheridan Drive per the submitted plans by Long Associates Architects dated August 24th, 2021 with the following conditions:

1. Subject to any required permits by the Clarence Building and Engineering Departments.
2. Subject to issuance of a Highway Work Permit as reviewed and issued by the Department of Transportation for the closure of the Sheridan Drive vehicular access.
3. Parking lot striping and curb stops to be installed per the approved site plan, and maintained in perpetuity.
4. Any potential future 6 additional parking spaces along the Sheridan Drive right-of-way shall not be installed without Planning Board review and approval upon future application having been received.
5. 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 Site Plan approval.
6. Any lighting to be dark sky compliant, shielded and downcast to prevent spillage onto adjoining properties.
7. Any proposed signage shall be reviewed and approved by the Sign Review Committee.
8. Subject to Open Space and Recreation fees.

Mr. Long understands and agrees to the above conditions.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Jeffrey Buckley	Aye	Gregory Todaro	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Meeting adjourned by Gregory Todaro at 8:57 p.m.

Amy Major
Senior Clerk Typist