

**Town of Clarence**  
**Planning Board Minutes**  
Wednesday, January 24, 2007

Work Session (6:30 PM)

- |                           |                     |
|---------------------------|---------------------|
| ➤ Roll Call               | ➤ Committee reports |
| ➤ Minutes                 | ➤ Zoning reports    |
| ➤ Sign review             | ➤ Miscellaneous     |
| ➤ Update on pending items | ➤ Agenda Items      |

Agenda Items (7:30 PM)

**Item 1**

Dan Furmanek  
Traditional Neighborhood

Requests Preliminary Concept Review of a proposed Open Space Design Subdivision at 8230 County Road.

**Item 2**

Scott Witter  
Agricultural Rural Residential

Requests Preliminary Concept Review of a proposed Open Development Area with multiple frontage lots at Stage and Ransom Roads.

**Item 3**

St. Mary's Church  
Traditional Neighborhood

Requests Preliminary Concept Review of a proposed new worship hall at 6925 Transit Road.

**Item 4**

Sign Law Review

Discussion.

Patricia Powers, Chairperson, called the meeting to order at 7:30 p.m. and led the pledge to the flag.

Planning Board Members Present:

Patricia Powers, Chairperson  
Jeffrey Grenzebach  
George Van Nest

Gerald Drinkard, 2<sup>nd</sup> Vice Chairperson  
Timothy Pazda  
Richard Bigler

Planning Board Members Absent:

Wendy Salvati, 1<sup>st</sup> Vice Chairperson

Other Town Officials Present:

James Callahan, Director of Community Development  
James Hartz, Assistant Director of Community Development  
Councilman Scott Bylewski  
David Donohue, Deputy Town Attorney

Other Interested Parties Present:

Dan Furmanek	Frank Pecenco
Lynn Honsberger	Carol Minnick
Joan M. Matheis	Dan Michnik
Debbie Michnik	Larry Engasser
Joan Engasser	Mike Williams
Paul Allen	Melissa Thore
Mike Buettner	Ed Saccoccia
Nancy Bergum	Jim Collins Jr.
Ken Pearl	Bob Runge
Scott Witter	Jim Hitro
Dolores Liebner	Adolph C. Iannaccone
Timothy A. Englert	Brad Davidzik
Wes Stone	Scott Glassman
Father Robert Yetter	Trey Roth
Louis Pauly	

Motion by Gerald Drinkard, seconded by Tim Pazda, to **approve** the minutes of the meeting held on January 10, 2007, with the following change:

-Page 6, second last paragraph, continue the sentence with “if a Traffic Safety Board is resurrected in the future.”

Patricia Powers	Aye	Gerald Drinkard	Aye
Jeffrey Grenzebach	Aye	Timothy Pazda	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

**Item 1**

Dan Furmanek  
Traditional Neighborhood

Requests Preliminary Concept Review of a proposed Open Space Design Subdivision at 8230 County Road.

**DISCUSSION:**

Jim Callahan provides the background on the proposal. The property is located on the north side of County Road, just east of the Stahley Road intersection; it consists of 20 plus acres. It is within Erie County Sewer District #5 (ECSD #5). The project was introduced to the Town Board on December 20, 2006 and was referred to the Planning Board. This represents the introduction of the project to the full Planning Board.

Brad Davidzik, of Renaldo & Palumbo, is representing the applicant. Dan Furmanek, applicant, and Wes Stone, engineer, are both present. Mr. Davidzik explains that the plan has been revised and the most notable change is that the front lots are now 200' off of County Road. The original plan showed a cul-de-sac that has now been taken out of the plan. Mr. Davidzik addresses one of the Town Board's concerns, which is connectivity to the parcel to the north. He explains that with the plan showing a private road it alleviates this issue; he does not see the necessity to put in a stub street for any potential development.

Jeff Grenzebach asks if the two corner lots shown on the plan to the south are existing lots. Mr. Furmanek said one lot is the existing home and the other is an available lot that will probably be for a show home. Mr. Furmanek goes on to explain that his intention is to have Ryan Homes put up; patio homes for older folks. There is a pond that Mr. Furmanek intends to keep, he will clean up the area and put park benches in around the pond.

Gerald Drinkard said that the greenspace should be continuous in an Open Space Design.

Mr. Furmanek has been advised by his engineer that there is an easement between the two parcels at the northern most end of the property; it will allow people to walk across it to get to the other parcel. It is Mr. Furmanek's understanding, from his meeting with the Town Board, that this was not necessary because there is sufficient greenspace. He does not want a stub street at the north side of the property because it will create a thoroughfare in what is intended to be a quiet hamlet. He does not want to see it become a cut-through between County Road to Transit Road.

Gerald Drinkard asks how people can get around within the area, Mr. Furmanek said they can walk; the area is clean and green and will be maintained.

Gerald Drinkard asks what the percentage of greenspace is for the project. Wes Stone said the separate parcel to the north was not used in calculating the greenspace requirement. Patricia Powers said those spaces used for calculations can not be isolated, so it is correct not to include them.

Patricia Powers makes sure the applicant is aware of the fact that the Town Board is looking at a local law to limit the size of a condo. Mr. Furmanek said his intentions are for patio homes, there will be no condo association.

Mr. Furmanek said he would like to build the private road to public specifications. There would be a land association for all members.

Jim Callahan said the yield calculations have not been reviewed yet.

Tim Pazda asks what the sewer capacity issues are with regards to the proposed project. Mr. Furmanek indicates that he has a preliminary letter dated April 2, 2004 from Erie County. He goes on to explain that Erie County said they did not have a problem with sewer capacity for the project at the time. Mr. Furmanek realizes he will have to obtain an updated letter; he does not see any problems with getting approval for sewer capacity. Mr. Davidzik reads the letter which indicates that based on current conditions there is sewer capacity available for a 44-lot subdivision, no representation is made as to future conditions.

Rick Bigler asks if sidewalks are planned within the project site. Mr. Furmanek said, "No." and goes on to explain the people who will live in the patio homes are "snowbirds" and "empty-nesters".

Mr. Furmanek distributes copies of the floor plan for the proposed patio homes.

Gerald Drinkard asks for clarification on the calculations for the greenspace and asks if there is sufficient greenspace without the separate parcel. Mr. Furmanek said there is 50% greenspace. Mr. Furmanek said the separate parcel is not part of the project, he will probably sell it.

Tim Pazda asks if the applicant had discussions with the owner of the parcel that splits his property with regards to swapping parcels. Mr. Furmanek said there were discussions but it does not seem to be necessary for the 50% calculation.

Patricia Powers asks if the wetlands have been delineated. Mr. Stone said they have not yet been delineated and goes on to explain that, per Town maps, there are wetlands around the edge of the property, there are none in the area to be developed.

The proposal shows a 50' right-of-way and a 20' setback to the patio home itself.

Mr. Furmanek explains that there is greenspace in the middle of the proposed cul-de-sac and will be maintained by the Homeowners Association.

Tim Pazda asks the applicant if he would consider connectivity, this is a concern of the Town Board. Mr. Furmanek does not want to create a thoroughfare within this project.

Tim Pazda asks if it is acceptable to split off the parcels at the corners of the southern most portion of the property. Jim Callahan said the Planning Board members will have to look closely at this. Mr. Pazda points out that the two lots are labeled as "exception" lots and he asks if each is a lot of record. Mr. Furmanek said the lots are not lots of record and are not included in the calculations. Mr. Pazda voices his concern with these lots. Mr. Furmanek points out that the two lots give uniformity to the front of the site. Gerald Drinkard clarifies and Mr. Furmanek confirms that these two lots will be broken off from the parcel.

Tim Pazda voices his concern with regards to the residents accessing the greenspace areas and how this can be accomplished. Mr. Furmanek said a walking path can be put in between two homes at an appropriate location.

David Donohue said without a density calculation it is hard to analyze the plan. The applicant needs a sewage letter, wetlands delineation, proposed density calculation, plus there are problems with the isolated lots.

Mr. Furmanek said the density calculations have been done and are on the proposed plan. He also reiterates that the wetlands do not infringe on the home sites; he doesn't think a wetlands delineation is necessary but will provide one if the Board deems it necessary. Mr. Donohue explains that the calculations regarding how many lots you can have is related to how many wetlands are at the site.

Patricia Powers clarifies that the applicant is showing a developed site using the Open Space Design Development Overlay guidelines; the plan shows 41 lots as the yield with a 50' wide private right-of-way for road and utilities. The applicant confirms. Ms. Powers goes on to read the plan which indicates 50% of site is lots and right-of-way and 50% of the site is greenspace and common area, the entire site is 18.57 acres. She advises the applicant that the Planning Board and the Planning and Zoning Office need the opportunity to do a yield calculation using their figures.

Tim Pazda states that sewer capacity is an ongoing issue in ECSD #5, he asks what the applicant would do if sewers were not available for this project. Mr. Furmanek said that they have discussed this issue and thought they could offer to help remedy the situation if it would help with the capacity issue. Mr. Pazda refers to the preliminary letter dated April 2004 from Erie County regarding sewer capacity for the property and advises Mr. Furmanek that many of these letters were distributed to other property owners.

**ACTION:**

Motion by Jeff Grenzebach, seconded by Tim Pazda, to **table** the request for a proposed Open Space Design Subdivision at 8230 County Road to allow the applicant the opportunity to address the concerns of the Planning Board discussed this evening. The applicant must also address Mr. Donohue's concerns as listed. This will also provide the Planning Board with the opportunity to calculate a current density yield; a letter will be sent to the applicant with the results of this calculation.

Patricia Powers	Aye	Gerald Drinkard	Aye
Jeffrey Grenzebach	Aye	Timothy Pazda	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

**Item 2**

Scott Witter  
Agricultural Rural Residential

Requests Preliminary Concept Review of a proposed Open Development Area with multiple frontage lots at Stage and Ransom Roads.

**DISCUSSION:**

Jim Callahan provides the history on the project. The property is located on the southeast corner of Ransom and Stage Roads, consists of 200 plus acres, zoned Agricultural Rural-Residential. The project was referred from the Town Board on December 20, 2006. This represents the introduction of the project to the full Planning Board.

Scott Witter, of Witter Design, is representing the applicant. Bob Runje, of RJR Engineering, is present, as well.

Gerald Drinkard said when he looks at the terrain it looks desert-like and asks if the applicant plans on bringing in fill.

Mr. Witter said there is clearly a recognition of a storm water issue at the site though it is in no way meant for the client to come in and change the face and character of the site by moving thousands of yards of material on to it. He recognizes that there needs to be storm water management at the site

and therein lies the advantage of the ponds. The ponds may be enlarged and deepened. The sand can also be used for improvements to some of the building lots. There is no intent or need to bring in material from offsite. George Van Nest points out the landscape provisions in the Subdivision Law require the lots that are disturbed be filled with soil so that vegetation can be planted to prevent erosion, thus it would appear a fair amount of topsoil would be needed. Mr. Witter agrees with bringing in topsoil, he thought the Board was referring to bringing in subsoil. Gerald Drinkard makes sure the applicant knows the requirement is 8" of topsoil. Mr. Witter said this information will be passed on to the individual land owner. Mr. Van Nest asks where, in the Town of Clarence, will the applicant obtain the amount of fill needed for the site. Mr. Witter asks if the topsoil needs to come from the Town of Clarence. Mr. Van Nest said the fill plan will have to be approved by the Town Engineer with regards to source, quality and quantity. Mr. Witter explains there are a number of large scale subdivisions in the area that are selling topsoil at a continuous rate. His question is if the fill is approved, does it matter where it comes from? Mr. Van Nest is questioning the availability of the quantity needed. Mr. Witter also points out that not every lot will be sold tomorrow and not every house will be sold tomorrow, he sees them as being staged over a number of years. Mr. Van Nest said the Landscaping components of the Subdivision Law do not cover staging or incremental filling.

Mr. Pazda refers to a conversation that took place at an Executive Planning Board meeting with regards to changing the road to continue through the lots, thus decreasing the amount of driveway cuts. Mr. Pazda asks if the applicant would consider this change and goes on to explain that if the road continued through the property there would be better accessibility to those lots. Mr. Witter said there would only be better accessibility for lots 7, 8 and 10 and by extending the road it would probably negate the value of those lots. There are five (5) proposed lots on Stage Road.

It is Mr. Witter's intention to preserve as much of the natural vegetation as possible. He indicates that the minimum lot size is five (5) acres and will be on individual sanitary systems.

Mr. Pazda asks if the applicant has investigated the water pressure problems in the area, Mr. Witter has not.

Rick Bigler asks what the road elevation is for the private road as compared to the public highways. Mr. Witter said it will work with the grade and a Homeowners Association would maintain the road. Mr. Bigler asks if the water will be steered away from the existing properties towards the retention ponds. Mr. Witter understands that he needs to manage the water across the site.

Mr. Witter believes the project will be done in phases.

It is noted that the Health Department would need to conduct a Perc test.

In response to Patricia Powers' question regarding notification, Jim Callahan explains that the Town of Newstead will be notified at the SEQR process.

Councilman Bylewski explains that in order to access lot #10 the driveway would need to be 2,000 feet. He refers to the Town Code Section 193(27)(8)(a) and said if this were a public roadway the maximum length is 1500' for a cul-de-sac. He then refers to section 193 (32) (E) and reads that the Town Board may approve such frontage lots as long as the intent of this chapter and the character of the surrounding area is maintained, including a requirement that frontage lots be accessed via the common driveway approved for the open development area. He asks that the Planning Board keep this in mind as they review the Concept Plan.

Nancy Bergum, of Ransom Road, objects to this project. She has lived at her home for 25 years and has a water pressure issue every summer. She is concerned with the sewage and the water run-off with all the properties built up back there. There is water at the site now and in April there will be more. She is also concerned with flood problems. It would be a big disruption to the quality of life in the neighborhood and she does not know how the land could handle the proposed 19 houses. Mr. Bigler asks if the water currently impacts Ms. Bergum's property. Ms. Bergum said it does not impact her property. In response to Patricia Powers question regarding a drop off and the rear of Ms. Bergum's yard, Ms. Bergum estimates the drop off to be approximately 20'-30'.

Scott Glassman, who owns the lot next to the proposed road on Stage Road, is concerned that the quality of life will be affected with the proposed project. He is concerned with lot #14 with regards to his privacy, where will the house be. He purposely did not buy a corner lot because of the traffic that goes in and out. He has two (2) small boys who like to run around and is concerned for their safety. Mr. Glassman is also concerned with the amount of construction vehicles the project will generate and where will the access be to get to the project site. He asks the Board to take the privacy of the current land owners into consideration. David Donohue explains the requirement of 100' between the proposed new drive and Mr. Glassman's driveway.

Dan Michnik, of Margaret Drive, is concerned with traffic and explains that Stage Road is not the best road to drive on at any given point, the road terrain goes up and down in the area, once a vehicle reaches Ransom Road, depending on the traffic pattern and whether the vehicle is turning left or right, it will impact what happens on the street. Most houses that are being built today have three (3) car garages, so there would be more than one (1) vehicle per household, thus, the project will generate more traffic and the pattern needs to be looked at to see if Stage and Ransom Roads can handle the traffic that will be generated.

Timothy Englert, of Ransom Road, explains the property in question use to be an old quarry and was vacated for some reason. Either all the sand was taken or all the stone was taken, so there's not a lot at the site to be moved around to change the elevation of the property. He questions the access of the site for emergency vehicles. He also voices his concern with the water pressure. If the road is a private road now, will it be big enough if they decide to turn it over to the Town. He wonders if there have been studies done to the ponds in the area. After the October 2006 storm the front part of lots 3 through 8 were above water, everything else was below water. If a septic system was to be put in this area, what type of a raised bed system would have to be put in and how is Erie County going to improve that if it fills up with water? He also voices his concern with the traffic that will be generated from the project. He asks if the proposed road, off of Stage Road, is far enough away from Ransom Road. Behind Mr. Englert's house is a 50'-60' drop off. He refers to an older version of the Master Plan that indicates this area as protected wetlands, he wonders if the area is still considered wetlands and doesn't see how it can change.

Mike Williams, of Ransom Road, is also concerned with the water pressure, especially during the summer. He guarantees that once fill is put in, someone in the area will have water problems. He is also concerned with the traffic that the project will generate.

Ms. Bergum said the drop off was more severe 25 years ago, it is not so severe now.

Councilman Bylewski said the ownership of the parcel between lots #18 and #19 needs to be addressed. He goes on to say this may be a potential segmentation issue.

Mr. Runje would like to obtain a list of all the questions and concerns voiced at this meeting and will address them at a later date, he would also like a copy of the meeting minutes and view the photos of the area when it is flooded. David Donohue advised Mr. Runje that the photos can be viewed in the Planning and Zoning Office.

Patricia Powers asks if Ms. Bergum is willing to share the photos with the Planning and Zoning Office. Ms. Bergum said she does not have the photos with her but she is willing to get them to the Planning and Zoning Office. Patricia Powers said the photos will become a permanent part of the project file.

In response to Patricia Powers question regarding the ownership of the out parcel, the applicant does not know who owns it.

To date, the applicant has not had any discussions with the Erie County Health Department.

**ACTION:**

Motion by Tim Pazda, seconded by Jeff Grenzebach, to **table** the request for a proposed Open Development Area with multiple frontage lots at Stage and Ransom Roads to allow the applicant time to address the items discussed this evening.

Patricia Powers	Aye	Gerald Drinkard	Aye
Jeffrey Grenzebach	Aye	Timothy Pazda	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

**Item 3**

St. Mary’s Church  
Traditional Neighborhood

Requests Preliminary Concept Review of a  
proposed new worship hall at 6925 Transit Road.

**DISCUSSION:**

Jim Callahan provides the history on the project. It is located on the south east corner of Transit Road and Stahley Road. It is located within the Swormville Traditional Neighborhood District. The project was referred by the Town Board and this represents the introduction of the project to the full Planning Board.

Father Robert Yetter is present and explains that he has been pastor at St. Mary’s Church for the past eleven (11) years. He introduces the major spokesperson of the architecture committee Ken Pearl. Father Yetter provides the history of St. Mary’s Church. The current church has served St. Mary’s community since 1866 and holds approximately 500 people. In 1995 there were 1600 households as members of the parish of St. Mary’s, currently there are 2400. There have been two (2) additions to the building, one in 1991 and one in 2000. The church has also purchased more land which is south of the proposed project, this will allow for access on Stahley and County Roads. The church draws its members from various areas including Clarence, Williamsville, East Amherst and South Lockport. They are trying to handle the needs of the parish with a building that has more facilities than the current church, such as air conditioning, better bathroom facilities and handicap



accessibility. The need to build a church that will hold approximately 1,000 people has been the plan for a number of years.

Patricia Powers asks what happens if there are events at both the old church and the new church at the same time. Father Yetter said this would not happen, the only day that this might happen would be on Christmas Eve. Tim Pazda asks if weddings would compete, Father Yetter replies saying since there is only one priest, there would not be two weddings held at the same time.

Gerald Drinkard asks about the brick that will be used for the proposed new building, Father Yetter said it is the intention to use the same brick as what is on the school and the parish center. They would also like to use stone at the bottom of the proposed building, if it is affordable.

Gerald Drinkard addresses the parking issue and explains the rule, which is 1 parking space for every 4 pews. He asks which width calculation the applicant is using 18" or 20". Mr. Pearl said the architects are using whatever the local code is. Mr. Drinkard clarifies his question. The plan that was submitted shows 222 parking spaces, this is based on 20" wide pews, is this the width the applicant intends on using? Mr. Pearl said yes. Mr. Drinkard advises the applicant that if all rows of pews remain, the requirement would be 252 parking spaces, if the last row of pews were taken out, the requirement would be 235.

Mr. Donohue asks if there is any type of an official agreement with the Fire Company next to the church with regards to parking. Father Yetter explains there is an unofficial agreement; there is a sign on Stahley Road that indicates people can park in the Fire Company parking lot as long it is for a Fire Company or a St. Mary's Church function. Father Yetter said there are approximately 60-80 parking spaces at the Fire Company parking lot, but only 40 are used and this would be during a larger mass.

Father Yetter explains that the new building would connect to the back of the current parish center. The front door of the proposed building would face the old church. Speaking to the positioning of the proposed building, Mr. Pearl said there are two elements with regards to the sanctuary of the proposed church lining up with the current church. He explains the first element is that people can capture a view of the old church as they exit the new church. The second element is the morning sun will be coming through the windows behind the altar in the new church.

Mr. Pearl said the parking is currently being worked on. Mr. Drinkard reminds the applicant that the parking must be on the premises, not out on the street.

Patricia Powers asks if the applicant is considering access to County Road, Mr. Pearl confirmed; the applicant is considering County Road access. However, the surveyors have advised that there are Floodplain limits at the site, when the survey is complete the applicant will be advised as to what the specific situation is.

Mr. Drinkard asks how the applicant's architect will preserve the look of the Traditional Neighborhood District and the tradition of the old church. Mr. Pearl explains that this issue was part of the interview process when choosing the architect for the project. The applicant charged the architect with bringing character back while designing the building; high building heights were not to be mimicked, this idea works well with the low profile of the parish center. The architect will work with what the campus looks like now.

In response to Mr. Drinkard's question about the material of the roof on the proposed building, Mr. Pearl explains that it is a simple architectural shingle. The architect is discussing a synthetic material for the cupola and has advised the applicant to use modern materials for the elevated, out of reach areas; this will make maintenance easier for those hard to reach places. Mr. Drinkard suggests the applicant review the list of acceptable and not acceptable construction materials in the Town of Clarence Code Book.

Tim Pazda refers to section 229-67-Design Standards of the Code Book which indicates all parking should be located at the side or rear of the building, no parking shall be located in the front yard of the building. Mr. Pazda questions the placement of the parking spaces, especially if it has already been determined that the front of the proposed building is facing the old church. Jim Callahan explains the parking situation is open to interpretation and needs to be addressed.

Rick Bigler asks if the traffic pattern will change, Mr. Pearl said, "The traffic pattern will pretty much stay the same."

Patricia Powers asks if there are existing sidewalks in front of the existing church on Transit Road. Father Yetter said there is a blacktop path that is a make-shift sidewalk in front of the existing church, there is not a sidewalk in front of the school.

Patricia Powers explains that, due to the size of the proposed building, the applicant will need to obtain a Special Use Exception Permit (SEUP); this permit is considered at the Town Board level.

George Van Nest asks, depending on what the survey shows, if the applicant would consider adding parking to the south. Mr. Pearl refers to the site plan and indicates the area labeled "B" is listed as potential future parking; there are two (2) other potential areas for parking.

Melissa Thore, of 8070 Stahley Road, said she waited for 25 cars to pull down her street this evening before she could walk across the street to get her mail; the cars were coming from the church. She provides photographs showing parking issues, the photos are from December 10, 2006 at approximately 12:15 p.m. and have become a permanent part of the file. Her major concern is the parking and she goes on to explain that the first nine (9) photographs are of vehicles parallel parked along Transit Road, the last two (2) pictures are of the empty parking lots in the back of the church because people won't walk from the parking lots to the old church. Ms. Thore is curious as to how it can be expected for people to walk from the parking lot to the new church, if they are not walking from the parking lot to the old church. Ms. Thore's second concern is that at either end of Stahley Road there is no traffic control device; there is a two-way stop sign at both ends but no signals. She explains that traffic from the intersection of County Road and Stahley Road will back up past her house after a service; she can't get out of her driveway. What she frequently encounters at Transit Road is a vehicle is half-way out on to Transit Road attempting to make a left hand turn, this blocks traffic. Ms. Thore also has a concern with the proposed exit on to Stahley Road, it creates a blind corner. She said she was under the impression that no further cars were allowed to go out onto Transit Road because of the dangers; because of the Post Office and Russell's Tree Farm and various other things going on right near that exchange. She voices her concern regarding the absence of shoulders and sidewalks. The shoulders on Stahley Road are maybe 24" and along one corner there is quite a significant drop off on one side of the road. Ms. Thore points out that the Master Plan deemed this area Traditional Neighborhood, she submits that this church is more like a UFO and not like a traditional church. She refers to an informational meeting that was held for the neighbors of the church in which they were told there were air conditioning units in the back (she points to the area on the site plan that is on

display for all to see), the garage was not moving and she points to another house on the plan and indicates she was told that house was not moving either. She is also curious as to how you can see the church when you have to look through buildings and trees. Ms. Thore's last concern has to do with Erie County Sewer District #5 and the water district. She goes on to explain that bordering her property is a very low area where the Erie County Health Department checks for the West Nile Virus all summer long. The area is roped off. She explains there is no where for the water to go; she was told that the church was not going to exit any cars on to County Road because it would cost too much to go over the wetlands.

Debra Michnik, of Margaret Drive, is a parishioner of St. Mary's. She attends 7:30 a.m. mass and parks in the parking lot behind the school and walks to the church, she has never experienced a problem in which people didn't park behind the school and walk to attend mass in the church. Much of the parking is existing and Ms. Michnik does not understand why the existing parking should be taken away and relocated; this is not very cost effective. The Parish is trying to raise a large amount of money for this project. With other churches in the area closing, there will be new parishioners coming to St. Mary's and they need to be welcomed. As far as the aesthetics of the church, Ms. Michnik said the new church will be maintained with the existing campus, it is important to the church members that Swormville stay Swormville. They are not looking to have a mega campus, or a Las Vegas, they are looking for a place to worship. Ms. Michnik explains that if you go from 3 masses to 5 masses you are going to have a lot less traffic. The parish has been there since the 1800's, Ms. Michnik reminds the people who have recently moved to the area that the church was there first, and where there is a church there are church functions.

Father Yetter clarifies that a compromise has been reached with the Fire Company and the DOT with regards to the parking. There is parking allowed on the weekends from the church going south on Transit Road; north of the church, on Transit Road, parking is not allowed.

Jim Hitro, parishioner of St. Mary's for 15 years, said it is important for the Planning Board members to hear the positive things that are going on as well, he refers to the fund raising effort and indicates that there is already 50% participation from the parishioners. He questions the discussion on allowing parking in front of a building and refers to the Walgreen's on Transit Road and County Road where there is parking in front of that building. Mr. Pazda explains that a variance was obtained for that situation. George Van Nest said a variance can be sought if it is necessary, there are still many questions that need to be answered yet.

Trey Roth, a member of St. Mary's for 30 years, has raised his family and has been active in the parish. Mr. Roth said there is a huge history at St. Mary's that goes back many years. The transition has been significant as it went from a rural parish to the parish it is today. He thinks that with the recent acquisition of land there is much opportunity to address the parking and access issues that were discussed this evening. He is supportive of this great opportunity.

Louis Pauly, a member of St. Mary's, explains that there were 750 families at St. Mary's in 1989, today there are 2400. He said the area is growing, growth is good. It's great to see people who want to come to church and they need to be accommodated with adequate facilities.

Mr. Pearl said he and the church share the concerns of the neighbors. He sees this project as an opportunity to fix a myriad of issues that they've heard from the neighbors, the Fire Company, parishioners and the Town, if they do not move forward with this opportunity they can not make improvements.

**ACTION:**

Motion by Gerald Drinkard, seconded by Richard Bigler, to **table** the request for a proposed new worship hall at 6925 Transit Road to allow the applicant time to address the items discussed this evening.

**ON THE QUESTION:**

Patricia Powers explains the procedure that will take place for the review of this project. George Van Nest points out that that Traffic Safety Committee no longer exists, however, additional input from the DOT and the Highway Superintendent may be required along with a Traffic Study. Mr. Pearl asks for clarification and is told that a Traffic Study is going to be required at some point. He is also advised that the architects need to address the concerns that have been voiced this evening and come back to the Planning Board with solutions. Mr. Donohue advises the applicant to contact the Planning and Zoning Office for advice on the next step.

Patricia Powers	Aye	Gerald Drinkard	Aye
Jeffrey Grenzebach	Aye	Timothy Pazda	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

**Item 4**

Sign Law Review

Discussion.

**DISCUSSION:**

A discussion took place regarding the review of the current Sign Law. The following changes will be recommended:

- page 8, item (G), number (5) will be added indicating no more than one-third of the overall sign can be used as a changeable copy.
- page 8, item (G), number (4) will be eliminated, thus number (5) mentioned in the sentence above will become number (4); there will be no number (5).
- a definition to include such signs as LED/liquid plasma display/electronic display will be included.
- page 7, item (B), “similar materials as approved by the Sign Committee.” shall be added to the second last sentence.
- the clause from the current Sign Law regarding banners is to be used in the new Sign Law.

Jim Callahan will update Draft 2 of the proposed Sign Law with the recommendations listed above and the Planning Board members will review the revisions at the next Planning Board meeting. Jim Hartz advises the members to forward any further comments to the Planning and Zoning Office, keeping in mind that the comments must be submitted in a timely fashion to ensure the update can be printed and distributed to the members prior to the next Planning Board meeting.

Meeting adjourned at 9:58 p.m.

Patricia Powers, Chairperson