

Town of Clarence  
Planning Board Minutes  
Wednesday August 15, 2007

**Work Session 6:30 pm**

Roll Call  
Minutes

Update on Pending Items  
Committee Reports

Zoning Reports  
Miscellaneous

**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**

Tom Kelkenberg  
Industrial Business Park

Requests Preliminary Concept Review of a  
proposed Industrial Business Park at 10060  
County Road.

**Item 3**

Sign Review

Discussion.

**Item 4**

Site Design Standards

Discussion.

Chairperson Patricia Powers called the meeting to order at 7:35 p.m. Deputy Town Attorney led the pledge to the flag.

Planning Board Members Present:

Patricia Powers, Chairperson  
Gerald Drinkard, 2<sup>nd</sup> Vice Chairperson  
Richard Bigler

Wendy Salvati, 1<sup>st</sup> Vice Chairperson  
Timothy Pazda  
Albert Schultz

Planning Board Members Absent:

Jeffrey Grenzebach

George Van Nest

Other Town Officials Present:

Director of Community Development James Callahan  
Deputy Town Attorney David Donohue

## Other Interested Parties Present:

Jeffrey Palumbo  
Douglas Klotzbach

Louise Zygaj  
Tom Kelkenberg

Motion by Gerald Drinkard, seconded by Richard Bigler, to **approve** the minutes of the meeting held on August 1, 2007, as written.

Patricia Powers      Aye  
Gerald Drinkard      Aye  
Richard Bigler      Aye

Wendy Salvati      Aye  
Timothy Pazda      Aye  
Albert Schultz      Recuse

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 history of the project. It is located on the north side of County Road east of Stahley Road and consists of approximately 19 acres in the Swormville Traditional Neighborhood District. The applicant was originally referred from the Town Board on December 20, 2006, tabled at the January 24, 2007 Planning Board meeting to rework the design and density issues. The applicant is present to present a re-designed subdivision consisting of 30 lots.

Jeff Palumbo, of Damon & Morey, represents the applicant. Mr. Palumbo understands there has been an error with respect to the Open Space Design in the Traditional Neighborhood Development; since the ordinance seems to prohibit this, the applicant will be filing a new plan. Mr. Palumbo would like to make it clear that this error was not on his part. He explains that the plan will now reflect a public road because of the access issue to the north.

Wendy Salvati points out that the plan must now comply with the Traditional Neighborhood District requirements. She suggests Mr. Palumbo let his client know that multi-family development is allowed in this district; there is not a large amount of this type of housing in the community.

Mr. Palumbo thinks the density yield will be approximately the same to those figures they calculated with this proposal.

Louise Zygaj, resident of County Road, said patio homes and individual homes would be great in this area. She is absolutely opposed to apartments. There is an abundance of apartments throughout Western New York; there are plenty of vacancies within these existing apartments. To preserve the look of the area, apartments would be absolutely hideous. Ms. Zygaj offers to do research to find out how many apartments are available in the area.

Gerald Drinkard notes for the record that a public road and a stub road are encouraged.

**ACTION:**

Motion by Patricia Powers, seconded by Gerald Drinkard, to **table** agenda item #1 to allow the applicant the opportunity to submit a design that meets the requirements of the standard Subdivision Law. The revised site plan is to show calculations and public road access to the north.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Timothy Pazda	Aye
Richard Bigler	Aye	Albert Schultz	Aye

MOTION CARRIED.

**Item 2**

Tom Kelkenberg  
Industrial Business Park

Requests Preliminary Concept Review of a proposed Industrial Business Park at 10060 County Road.

**DISCUSSION:**

Jim Callahan provides the history of the project. It is located on the north side of County Road, west of Strickler Road and consists of approximately 3.59 acres. The applicant was referred from the Town Board on the July 25, 2007 meeting.

Douglas Klotzbach, architect, and Tom Kelkenberg are present. Mr. Kelkenberg explains that the three buildings are each 6,000 square feet. Mr. Klotzbach explains that the plan is over the setback requirements and there is 60% greenspace.

Wendy Salvati suggests moving one of the buildings 20' in order to provide a 100' natural vegetation buffer. Mr. Klotzbach said the only concern with moving the building is the location of the septic systems. He and Mr. Kelkenberg agree that there will be as much left natural as possible. The plan shows plantings will be put in, Gerald Drinkard said the more the better.

Patricia Powers said the Planning Board likes the fact that the plan shows the rear of the building facing the property line of the neighbors that live on Martin Road. There will be no lighting on the back of the building. Mr. Kelkenberg intends on being a good neighbor.

Timothy Pazda reiterates that additional trees may be added to the natural vegetation buffer area.

**ACTION:**

Motion by Gerald Drinkard, seconded by Timothy Pazda, to **refer** agenda item #2 to the TEQR Committee, the Fire Advisory Board and, if there is such a committee, the Traffic Safety Board.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Timothy Pazda	Aye
Richard Bigler	Aye	Albert Schultz	Aye

MOTION CARRIED.

**Item 3**

Sign Review

Discussion.

**DISCUSSION:**

Smart Center at 8185 Main Street is requesting a pylon sign, two (2) building signs and a directional sign. Per Patricia Powers discussion with Jim Hartz the Town has permitted, in the past, signs where a dealership represents multiple interests as such: one (1) sign on the building and one (1) sign on the existing pole or pylon. It is unclear as to what type of existing sign is at the location. All Planning Board members are instructed to drive by the location to view the existing sign.

**ACTION:**

Motion by Timothy Pazda, seconded by Richard Bigler, to **table** agenda item #3 to allow all Planning Board members time to visit the site and view the existing signage prior to the September 5, 2007 Planning Board meeting.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Timothy Pazda	Aye
Richard Bigler	Aye	Albert Schultz	Aye

MOTION CARRIED.

**Item 5**

Site Design Standards

Discussion.

**DISCUSSION:**

Jim Callahan provides the history of agenda Item #5. The Town Board has referred the issue of site design standards for commercial projects in the Commercial and Restricted Business Zones along the Main Street and Sheridan Drive corridors to the Planning Board for recommendation. At a previous meeting the Planning Board identified an amendment to particular sections of the Zoning Code that deal with minimal architectural standards in the Commercial and Restricted Business Zone could be updated to reflect increases to the minimum design standards. The current sections of the code have been distributed to all Planning Board Members.

Gerald Drinkard thinks the proposed changes could have a lot of text.

Jim Callahan said the question is: "What would you add to the current law?"

Gerald Drinkard refers to the Grand Island Design Standards and the Clarence Hollow Standards for possible input.

Albert Schultz said there are two options, one is to put the specific design standards in the current code, the other is to have a stand alone set of architectural standards and refer to them in the Zoning Code. His concern with putting the standards in the current code is that the standards will be evolving all the time, changing the actual law can be a bit of a nightmare. It took the Zoning Office intern days just to reformat for one or two changes. This is the reason he asks the Planning Board to consider a stand alone set of architectural standards.

Wendy Salvati said it is not just architectural standards that need to be addressed, other things need to be taken into consideration as well, she would like to see the standards all in one place. Her biggest concern is that the standards must be adopted so the Planning Board has more power with it. She suggests designing the standards and then deciding how they will fit into the code.

David Donohue suggests Councilman Scott Bylewski have input on what the Town Board wants the Planning Board to do with this issue.

Jim Callahan does not want to get so detailed as to limit the creativity of the applicant; set minimum standards but allow flexibility to add character. One issue that needs to be clarified is the roof pitch.

Tim Pazda would like to tighten up the allowance of metal in the code.

David Donohue suggests passing along a document to the Town Board with alternative suggestions.

The Master Plan supports the character along Main Street in the two Zoning classifications being discussed.

Jim Callahan will complete a first draft and e-mail it to all Planning Board members in time for them to review the draft and discuss it at the September 5, 2007 meeting.

Wendy Salvati refers to the Grand Island Standards where it indicates that franchise designs are not acceptable. David Donohue questions the legality of the "blanket" statement of automatically eliminating anything franchise related without any regard to what it actually is.

Tim Pazda stresses the point that the intent of the code is not meant to be an onerous detail on the applicant; it is meant to help them.

David Donohue suggests hiring an architectural consultant, if funding is available, to provide the Planning Board members with appropriate information as they look to develop design standards.

Timothy Pazda said the New York Planning Federation will be hosting an encore performance of the video presentation that was shown in the winter of 2006-2007. The presentation will be on September 27, 2007 at the Town Hall. It will be co-hosted by the Clarence Hollow Association.

Meeting adjourned at 8:35 p.m.

Carolyn Delgato  
Senior Clerk Typist