

Town of Clarence
Planning Board Minutes
Wednesday January 9, 2013

Work Session 6:30 pm

Status of TEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:30 pm

Approval of Minutes

Item 1

Affordable Senior Housing
Opportunities of NY, Inc.
Commercial/Restricted Business

Requests Development Plan Approval of a 125-unit Senior Apartment Housing project at 8040 Roll Road.

Item 2

Kelly Schultz
Residential Single Family

Requests Development Plan Approval of a 4-Lot Open Development Area at 10976 Stage Road.

Item 3

Patrick Development
Residential Single Family

Requests Concept Plan Approval of a Public Road Extension (East Howard Drive) and Subdivision Approval for the creation of four (4) new residential building lots at East Howard Drive between 4272 and 4284 Roxbury Drive.

Item 4

Ross Harbison (Amherst Congregation of Jehovah's Witnesses)
Residential Single Family

Requests Preliminary Concept Review of a proposed Kingdom Hall worship center at the northeast corner of Shimerville and Roll Roads.

Chairman Robert Sackett called the meeting to order at 7:30 p.m.

Jim Callahan led the pledge to the flag.

Planning Board Members present:

Chairman Robert Sackett
2nd Vice-Chairman Paul Shear
George Van Nest
Gregory Todaro

Vice-Chairperson Wendy Salvati
Timothy Pazda
Richard Bigler
Steven Dale

Town Officials Present:

Director of Community Development James Callahan
 Assistant Director of Community Development Brad Packard
 Deputy Town Attorney Steven Bengart
 Councilman Robert Geiger

Other Interested Parties Present:

Martin Grisanti	Dale Korte	Paul Wheeler
Joe Clouse	Paul Gerstner	Bill Rohn
Dennis Galenski	Andrea Galenski	David Singer
Joe Kleinmann	Barbara Kreuzer	Chuck Kara
Mitch Blood	Dave Brinkman	Bill Bragg
Ross Harbison	Diane McMullen	Arnold Castren

Motion by Paul Shear, seconded by Gregory Todaro, to **approve** the minutes of the meeting held on December 12, 2012, as written.

Gregory Todaro	Aye	Richard Bigler	Aye
George Van Nest	Aye	Timothy Pazda	Aye
Paul Shear	Aye	Wendy Salvati	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Chairman Sackett explained that Jim Callahan will introduce each agenda item. The Board will ask questions of the applicant with regards to the project. The public will be invited to comment on each project. The applicant will be asked to address the public comments. The Planning Board will then take the appropriate action.

Item 1

Affordable Senior Housing Opportunities of NY, Inc. Commercial/Restricted Business	Requests Development Plan Approval of a 125-unit Senior Apartment Housing project at 8040 Roll Road.
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DISCUSSION:

Jim Callahan provided the background on the project noting that it is located on the north side of Roll Road and on the east side of Transit Road. It is existing vacant property. The project has been formally reviewed and received a Negative Declaration under SEQRA on December 7, 2011. Concept Approval was granted by the Planning Board on May 2, 2012. A Special Exception Use Permit was issued by the Town Board on June 13, 2012.

Eric Daniel with C & S Engineers is present and representing the applicant. Mr. Daniel noted that the project is a three (3) story, 125-unit structure. Storm water detention will be provided. The tenants would be all seniors. Affordable Senior Housing has found that most of their clients come from within a 5 mile radius of the building. There will be a community center and hair salon within the building.

Chairman Sackett noted the existing house in the front of the property and that there is no curb cut there, but there is an existing driveway. He asked for confirmation that the applicant is planning to remove the curb cut as part of the development. Mr. Daniel said the developer is not sure what will go in there and the existing driveway will not be moved at this time. Chairman Sackett said through previous discussions it was made clear that the curb cut would be removed and the entrance to that house would come off the road that goes into the complex. One of the conditions of this approval would be that prior to issuance of a Certificate of Occupancy the driveway must be removed. Mr. Daniel said that is not a problem. Chairman Sackett noted that trees have been moved to the east of the detention pond to buffer those neighbors.

Paul Shear noted that there are 2 fire hydrants on the property, this meets code. However, the fire company would like to see a third fire hydrant be installed in the back of the property.

Joe Kleinmann, of 5623 Kippen Drive, wants to know if there are future plans of expansion such as adding dining facilities or additional units. What type of pond is being proposed? Will there be standing water? He is concerned with the size of the pond because there is a lot of flooding in that area in the spring, the ground gets quite saturated. Chairman Sackett noted that the size of the pond was approved by the Town Engineer. He also noted that the criteria is to not put water on adjacent property. Mr. Kleinmann asked if the Town ditch will remain. Chairman Sackett does not know. Mr. Kleinmann wants to know who will maintain the pond and the area around it and what recourse is there if the area becomes overgrown. He asked if the tree berm goes to his property, he suggested extending the trees to the corner. He wants to know if there is a berm on the other side of the pond and what type of trees will be planted there.

Paul Wheeler, of 5647 Kippen Drive, asked if the tree line could be extended north to the property line. He understands that there is a ditch there and suggested the tree line extend past the ditch to the property line. He is asking this because of the position of his house. There is a large dead tree in that area and it would be better if it was controlled when it came down instead of leaving it to fall down on its own. There is a piece of vacant property that will eventually be developed and if the tree line is extended that would help to buffer that vacant property.

Joe Clouse, of 8030 Roll Road, has a concern with the division between his property line and where the driveway is going to go in. He requested the possibility of having a stockade fence put up in addition to the tree line to give them more privacy and for the safety of his grandchildren. His property is immediately to the west of the project site.

Mr. Daniel said there are no plans for expansion on the site.

Mr. Daniel said there will be standing water in the pond; the pond will be deep enough so that it won't be overgrown with weeds. It will be maintained as part of the property by Affordable Senior Housing. The pond has been engineered so as not to overflow. The pond is actually oversized to detain water. The pond cannot allow a larger discharge rate off the site; they are actually reducing the discharge rate by 60%-80%. The pond should improve drainage conditions at the back part of the property. Chairman Sackett said the Town has access to the drainage pond for inspection.

Mr. Daniel said the proposed location of the trees on the property is per the Landscape Committee's recommendations. The requests of the neighbors to expand the tree line north and south can be explored by the applicant if that is what the Board is suggesting. There is no berm near the pond; it will be level or below grade. Mrs. Salvati asked if there is enough room to plant trees on the east side

of the ditch. Mr. Daniel said there is a mixture of three different types of pines to be planted per the Landscape Committee. It will be hard to put any trees on the east side of the ditch because of the sloping of the property; that area also starts to encroach on private property. Mr. Daniel said they are staying away from the ditch especially on the east property line. Mr. Daniel said he can accommodate the request of the neighbors to expand the tree line north and south.

Mr. Daniel said he can look into putting up a stockade fence in lieu of a line of trees to the west of the property as requested by the neighbor. Chairman Sackett said the applicant is to work with the Landscape Committee on this issue. Mrs. Salvati suggested the applicant speak with the neighbor to come to an agreement about the fence. Mr. Daniel does not think it would be aesthetically pleasing to look at if there were a line of trees planted right up to the fence. There is no other fencing proposed on the site.

Mrs. Salvati suggested the applicant save as many trees on the property as possible, specifically those that are behind the existing house. Mr. Daniel understands the request. Chairman Sackett noted that the code states for every tree removed two trees need to be planted.

ACTION:

Motion by Gregory Todaro, seconded by Timothy Pazda, to **approve** the design, architectural style and Development Plans for the proposed Roll Road Senior Housing as submitted by C&S Engineers, Inc. on behalf of the project sponsor, Affordable Senior Housing Opportunities of N.Y., Inc. dated October 9, 2012, with the following conditions:

1. Subject to all conditions of the Town Engineer in approval letter dated December 3, 2012 as well as PIP permits for all site work.
2. Subject to Building Department review and approval for all building construction.
3. Subject to Landscape Committee review and approval of the entire parcel prior to Certificate of Occupancy being issued.
4. Sidewalks provided per approved concept plans.
5. Site lighting is to be dark sky fixture with no spill to adjoining properties.
6. Subject to open space and recreation fees.
7. Removal of existing driveway to house on Roll Road prior to issuance of Certificate of Occupancy on the house.

Gregory Todaro	Aye	Richard Bigler	Aye
George Van Nest	Aye	Timothy Pazda	Aye
Paul Shear	Aye	Wendy Salvati	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Item 2

Kelly Schultz
Residential Single Family

Requests Development Plan Approval of a 4-Lot
Open Development Area at 10976 Stage Road.

DISCUSSION:

Jim Callahan provided the background on the project noting that it is located on the north side of Stage Road and on the east side of Schurr Road. It is existing vacant land. A Negative Declaration under SEQRA was issued by the Planning Board on June 6, 2012. Concept approval was granted by the Planning Board on June 6, 2012.

Michael Metzger, of Metzger Civil Engineers, is representing the applicant. He explained that the design plans are in total compliance with the approved Concept Plan. The same plans have been reviewed and accepted by the Town Engineer. Mr. Metzger noted that the neighboring properties on either side of the property have driveways that tie into an existing driveway that is there now. With the construction of the private drive coming in to serve the four homes, that main driveway will be rebuilt and constructed in accordance with the standards required for an Open Development. It is the client's intent, even though there is no record of an easement for access to the driveway to those existing homes on either side of the property, to allow continued access and easements will be granted to those properties. The details will be worked out in the Homeowners Association documents.

Chairman Sackett noted that there was a neighbor request to maintain the buffer between the existing lots and the new development. He noted that the applicant moved the lot lines to protect the archeological sensitive areas. When the applicant starts to build, fencing will be put up to protect these archeological sensitive areas. Mr. Metzger agreed. The existing neighbors on either side of the project will not be asked to participate in the Homeowners Association.

Dale Korte, of 10980 Stage Road, said when he bought his home 19 years ago, it was his understanding that there was an easement there; it shows on the original drawing that that was a road. He has maintained the road for 19 years and his neighbor on the opposite side has maintained that side for 32 years. Now this easement is going to be taken away, this was a road. Who will maintain it, will the Town come in and plow it in the winter or will it be someone else's plow to take care of this?

Martin Grisanti, of 11000 Stage Road, is worried about the wetlands that are there. He said the drawing is different from the last time he was at a meeting and he doesn't understand some of it. He has never had a drop of water in his basement. He is worried about construction and what will happen to his house.

Mr. Metzger said he did extensive research on the property and found there are no easements. His client fully intends to grant an easement to the people on either side to give them the right of access. This will be a private road. The maintenance and use agreements will be put together working with the Town Attorney and will stipulate maintenance of that driveway. The people who live in the back of the property will need to have that driveway fully maintained as well. The road will be put in first, and then the four lots. Chairman Sackett asked prior to selling any lots who would plow the driveway. Mr. Metzger said it is likely his client would do that so as to have access to the property for sales purposes. Mr. Metzger said his client will work with the existing neighbors to figure out how the road will be plowed prior to a Homeowners Association Agreement. The existing neighbors will not be cut off.

Mr. Metzger noted there are no wetlands in the developed portion of the property. The developed portion is on the highest part of the property and it all drains to the back of the property. The Town Engineer has concurred with the applicant's plan to have the storm water removal continue to the back to recharge the wetlands, sheet flow will be used. Any water that comes off the site will continue in a northerly direction.

Gregory Todaro asked what construction hours will be for the project. Mr. Metzger said that has not been discussed however there can be reasonable times applied. Mr. Todaro suggested the applicant work with the neighbors to establish reasonable hours for construction. Mr. Metzger agreed.

Mr. Metzger pointed out that his client lives on the property immediately next to the project site so he is already a neighbor and wants to continue a good relationship with all neighbors.

ACTION:

Motion by George Van Nest, seconded by Paul Shear, to **approve** the Development Plans on the proposed Stage Road Open Development as submitted by Metzger Civil Engineers on behalf of the project sponsor, Kelly Schultz, dated November 16, 2012, with the following conditions:

1. Subject to all conditions of the Town Engineer as identified in approval letter dated December 3, 2012 as well as PIP permits as issued by the Town Engineer for road, site drainage and utility work, prior to any site work.
2. The proposed private water service and fire protection service must be designed and implemented in accordance with all specifications as per the Erie County Water Authority and Town Engineer.
3. A Home Owners Agreement, acceptable to the Town Attorney's Office, for common maintenance of the private drive and common ownership interests must be filed in the Erie County Clerk's Office prior to the issuance of building permits within the development.
4. An access agreement, acceptable to the Town Attorney's Office, for the existing adjacent homes currently utilizing the project site as the primary vehicular access and driveway for their residences, must be filed with the Erie County Clerk's Office.
5. Applicant will be responsible for securing necessary Highway Work Permits from ECDPW for road and drainage construction.
6. All final development plans and any construction activity must be inclusive of measures to protect the archeologically sensitive areas as identified by NYS Office of Parks, Recreation and Historic Preservation.
7. A final Landscape Plan approval by the Landscape Committee prior to Certificate of Occupancy will be required to ensure that adequate buffering is provided to adjoining residential uses.
8. Future residential construction within the Open Development area is subject to review and approval by the Town Building Department.

9. Future residential construction within the Open Development Area is subject to Open Space and Recreation fees.

Gregory Todaro	Aye	Richard Bigler	Aye
George Van Nest	Aye	Timothy Pazda	Aye
Paul Shear	Aye	Wendy Salvati	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Item 3

Patrick Development
Residential Single Family

Requests Concept Plan Approval of a Public Road Extension (East Howard Drive) and Subdivision Approval for the creation of four (4) new residential building lots at East Howard Drive between 4272 and 4284 Roxbury Drive.

DISCUSSION:

Jim Callahan provided the background on the project noting that it is located on the west side of Roxbury Drive at the westerly extension of East Howard Drive. The applicant is proposing a public road extension to accommodate four (4) new residential building lots. The Planning Board previously reviewed the project as an Open Development Area. A Negative Declaration on a five (5) lot Open Development was issued by the Town Board on July 28, 2010. The public road extension was referred from Town Board at the November 14, 2012 meeting.

Kevin Curry is present and explained that he has complied with the direction of the Town Attorney and is proposing a public road as opposed to an Open Development. The plan has also been amended to 4 lots as opposed to 5. There has been a request from one of the neighbors to decrease the road size; Mr. Curry said he will comply with the Town’s road specifications. Chairman Sackett noted that the road specifications will come at Development Plan approval.

Chairman Sackett said there was a concern about the adjoining neighbors with regards to maintaining a buffer to the lots adjacent to the development on Roxbury Drive; Landscape approval may be required. The storm water plan needs to be worked out with the Town Engineer at the Development stage.

Diane McMullen, of 4283 Roxbury Drive, asked if the other end of Howard Drive is currently the size of the extension or is it smaller. She also asked for clarification on the number of lots being proposed. It is clarified that the lots being proposed are four new lots; they would have driveway access off Fairfield Road. The other two lots that front on Fairfield Road have been previously approved; they are not part of this proposal.

Mr. Curry said the road size on the other side of Howard Drive is smaller than Town Specs. Deputy Town Attorney Steve Bengart said it may be in the purview of the Highway Superintendent to allow the proposed road to be built smaller. Steve Dale said this is being discussed in order to maintain the look in the neighborhood; it would look funny if one side of the road is smaller than the other.

ACTION:

Motion by Paul Shear, seconded by Richard Bigler, to **approve** the Concept Plan for a public road extension of East Howard Drive and Subdivision Approval for the creation of four (4) new residential building lots at East Howard Drive between 4272 and 4284 Roxbury Drive per the submitted design from Metzger Civil Engineering, dated 12/7/2012, on behalf of the project applicant, Patrick Development, with the following conditions:

1. Design standards for the public road and drainage facilities including storm water management as per Town Highway Superintendent and Town Engineer approval of Development Plans.
2. Public waterline extension per approval of the Erie County Water Authority, Erie County Health Department and Town Engineer.
3. Landscape Committee approval on lots 1 and 4 prior to occupancy to ensure adequate buffer to adjoining residential properties.
4. Future residential construction subject to Town Building Department review and approval and Open Space and Recreation fees.
5. Future residential construction subject to Erie County Health Department review and approval for on-site sanitary sewer facilities.

Gregory Todaro	Aye	Richard Bigler	Aye
George Van Nest	Aye	Timothy Pazda	Aye
Paul Shear	Aye	Wendy Salvati	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Item 4

Ross Harbison (Amherst Congregation of Jehovah’s Witnesses)
Residential Single Family

Requests Preliminary Concept Review of a proposed Kingdom Hall worship center at the northeast corner of Shimerville and Roll Roads.

DISCUSSION:

Jim Callahan provided the background on the project noting that it is currently vacant land. Preliminary review by the Town Board occurred on December 19, 2012. This represents the introduction of the project to the full Planning Board.

David Singer is present and explained that the architect on the project is present along with Mr. Harbison and 2 representatives of the congregation. Mr. Singer said the building will be approximately 4,000 square feet in size and will be shared by two (2) congregations. Each congregation has about 65 members. One congregation will have meetings on Tuesday evenings and Sunday mornings and the other will meet on Thursday evenings and Sunday afternoons. There may be 5 people who meet at the Kingdom Hall in the mornings throughout the week. Saturday mornings may have a meeting of 30-40 people. The lights will remain on at the site from dusk ‘til dawn for security

reasons. They use a professional maintenance company now and will probably do the same for this site. Once or twice a year the two congregations may meet together for a wedding or a funeral. Chairman Sackett asked how 60 parking spaces will accommodate the memorials when both congregations attend. Mr. Singer said they currently have 58 parking spaces at their location at Main Street and Transit Road; they have had 58 spaces for years and are comfortable with that amount. Chairman Sackett noted the east side of the property and said the size of that undeveloped portion will depend on the drainage plan that will need to be approved by the Town Engineer.

Mrs. Salvati asked the applicant how 150 people will fit in a 60 spot parking lot. Mr. Singer said most of the attendees are families so there would be 3 people, on average, to a car. They encourage car pooling. Parking gets tight, there are parking attendants to guide vehicles. Mr. Singer said vehicles will not be parked on Roll Road or Shimerville Road; they would probably fill up the driveway.

Mrs. Salvati said this location is in a rural setting and there is not a lot of lighting disturbance. If the project moves forward the applicant would be asked to use dark sky lighting standards. The applicant is aware of these standards and plans on using them.

Paul Shear referred to the EAF Part I, page 3, item 2 and indicated that those figures do not add up and need to be corrected. Mr. Harbison will correct this. Page 5, item 4 which states “.93 acres” needs to be clarified, Mr. Harbison said that is the amount that will be taken up by the building, the driveway and the parking lot. The entire site will be developed as landscaped area other than the one acre to the east. Page 8, item 25, second line needs to read “Site Plan Review **and Development Plan**”. Mr. Harbison has agreed to authorize the Planning Board/Planning Department to make the necessary changes to the EAF so that when it goes out for coordinate review it reads correctly.

Mr. Harbison said the proposed 60 parking spaces is based on the Town Code which indicates 1 space for every 4 occupants of the building. According to State Building Code, they could have 239 people in the building, 240 people would make a 60 car parking lot. Currently the applicant has 58 parking spaces and rarely do they have 40 occupied on a Sunday.

Dennis Galenski, of 5560 Shimerville Road, said he is concerned with traffic. It is very busy in that area now and if 60 more cars are added it will become a real concern. The proposed driveway is exiting about 150' from the intersection. Between the hours of 6am and 9am and 2:30pm and 7pm there will be traffic on both sides beyond his house waiting to get through that intersection. Traffic leaving the church will only create a bigger headache and a nightmare. He would like to see a traffic study done. As far as parking on Roll and Shimerville as overflow, the applicant said they wouldn't do that, Mr. Galenski does not know how this would be possible. He suggested “no parking” signs be erected. The position of the proposed building is on an angle, there are no other structures on an angle in the area so it doesn't fit in aesthetically with rest of the area. He would appreciate the Planning Board looking into making the building go square with Roll Road or Shimerville Road. Another issue for Mr. Galenski is the retention pond because there is a lot of standing water in that area already. He asked what will be done to help alleviate insect problems with additional standing water. He also asked if the one acre parcel that is not being developed open for future development for a residential home or will it be part of the worship center. Mr. Galenski voiced his concern with the increased traffic saying there will be more air and noise pollution. He wondered if there will be activities at night at the hall, because it is relatively quiet in the area now. He questioned the property values of those in the area. He asked if the developer of the future houses behind his house and the owner of the one house that is being built are aware of this proposal. He also questioned the work hours of project.

Chairman Sackett explained that the traffic concerns will be addressed by the Erie County Highway Department during the environmental review. They will take into consideration and comment on any surrounding projects/developments when reviewing this proposal.

Mr. Van Nest asked how the traffic is on the weekends at that intersection. Mr. Galenski said Saturday mornings are ridiculous and throughout the entire day. Sunday is busy at the typical church times.

Colleen, who lives just north of the project site, agreed with her neighbor regarding the concern of the direction of the building. Her main concern is with the parking lot that will be shining into her family room when people park there. She also agreed with the traffic concern previously stated. She believes she owns about two-thirds of the hedgerow, it is a natural hedgerow and she does not touch it, she hopes the applicant won't touch it either. It is a natural buffer between her property and theirs. Chairman Sackett said a fence or landscaping could be used to block the car lights coming from the parking lot; this can be discussed with the Landscape Committee.

Joe Meyers owns the property that adjoins the eastern border of the project site. Mr. Meyers said he has a swale behind his barn and in the front of his property to divert the water down to the Gott Creek tributary, which is just to the east of him. He is concerned with the water movement. Once a large portion of property is paved it exacerbates the existing problem with alleviating the flooding problem that he has on his property. He suggested relocating the building and putting a 75' buffer around the perimeter of the property. The buffer should be a berm with heavy greenery on it. He would like to maintain the feeling of a residential neighborhood. He is not against this development but he wants it to fit into the character that is Clarence. He understands lighting a building all night for security reasons but there is no sense in lighting a parking lot all night; not in a residential neighborhood.

Cynthia Dwyer, of 5577 Shimerville Road, is not happy with this project. She has the same concern as the previous neighbors stated with traffic. She worries about the value of her home. When she steps out on her patio she will be looking at a parking lot. She always thought there would be house built there. This is a residential neighborhood; this project feels commercial to her. She will walk out into her backyard and have to listen to traffic going in and out of the parking lot and the lights will be on.

Mr. Callahan clarified that the buffer requirement in the residential zone is 12.5'. Mr. Van Nest pointed out that the applicant is showing a 45' buffer on the proposed plan.

Andrea Galenski, of 5560 Shimerville Road, agreed with the concerns her husband spoke of. She is not happy with this proposal at all. She moved here so as not to have commercial buildings put up across the street from her. She has three young children and this is not how she wants the neighborhood to look. Between the lighting, parking, noise and a commercial church being in this beautiful rural residential area, it's upsetting.

Christina Minkler, of 8885 Roll Road, wants to know if there was an environmental study done on the property. She said there is an environmental impact in the area that is fireflies. For 2-6 weeks in June it's like firefly hatching, she means thousands of fireflies. This has been happening for 20 years. She is not against development but she does not want the lights on all night, this is very disturbing to her. She is not happy about this type of development. She does not understand how this can be allowed when the property is residential. Chairman Sackett explained that the Code says a religious institution less than 10,000 square foot is allowed in a residential neighborhood. The Planning Board did not write the Code but they have to enforce it. The public comments will help determine who the

coordinated review is sent to. It is clarified that no environmental studies have been done on this property as this is the first time it is before the Planning Board.

Mr. Van Nest said it is important to explain what the Planning Board's charge is. They are to hold up the laws of the State and the Town as it relates to planning issues. They need to make a decision as to whether a land use is permissible within the confines of what the Town law and State law provides for. In this instance the Town Zoning Law provides permitted uses for churches under 10,000 square feet, so this church, as proposed, fits within the permissible uses within this zoning district, it is 4,000 square feet. If it were over 10,000 square feet, the Planning Board would not have the ability to review it; it would be a non-permissive use. The fact of the matter is it is within the confines of what the code allows, so the Planning Board does not have the legal authority to say no to the project. The Planning Board needs to decide if the land use is appropriate, is the design appropriate, what are the factors that need to be considered from an environmental and design standpoint to make sure it fits within the confines of the Town's code and the State code.

Roy Minkler, of 8885 Roll Road, said on the weekend a vehicle goes by his house every 7 seconds; there has been a lot of truck traffic lately as well from the development down the road.

Mr. Harbison said he understands the neighbors concerns with traffic. It is not a bike path; it is a traffic area with not much of a shoulder. The timing of the traffic impacts on Sunday mornings and afternoons and two (2) nights a week with approximately 40 cars each time is not much of an impact. The entrance is on Shimerville Road because the applicant was told that road has less traffic than Roll Road. The entrance is 200' from the intersection so as to minimize the queuing impact at the intersection. The applicant did not propose two (2) entrances to avoid possible cut-thru traffic and any traffic confusion. Mr. Harbison said some lighting on the building needs to exist in order for the building to be protected. All the lighting is down-lighting; there is no glare, no reflection and they will provide a lighting diagram at the appropriate time. No light will migrate across the property lines. There will probably be two light districts in the parking lot, one in each island and three or four along the driveway. The height of the lights along the driveway will be 12' and the lights in the parking lot will be 18'-19' high, which is all within the Town's code requirements. The applicant is very sensitive to screening the parking lot from neighboring residences. They do not intend to touch the heavy brush line that exists at the north end of the property. They have to maintain a 45' greenbelt anyway. There is landscaping proposed all around the parking lot on all three sides. As far as the positioning of the building which is at an angle, because of the zoning setback requirements, the building had to be 100' from each street. They wanted the front of the building to be as visible as possible from both streets. There is also a safety factor in positioning the building this way: as traffic enters the site instead of having 90 degree turns, it is a very smooth open and visible 45 degree turn within the site. The proposed position of the building also allows the entrance to remain 200' from the intersection. The one (1) acre parcel to the east is extra and will not be developed, if it is needed for storm water management it will be used for that, but otherwise it will remain undeveloped.

Charles Vara, architect on the project, said the design of the proposed building is residential in flavor. They want to fit in the neighborhood so by the time the landscaping is done and the building is complete they hope to add to the value of the neighborhood. The maximum height of the building is 18'-19'. Mr. Singer said they are happy to go through the process of having traffic looked at, storm water looked at and lighting looked at or even turned off. They are pleased to make these types of decisions if it will show their intent to be a good neighbor to those that are surrounding them. The applicant's intent is to be in a park like setting, quiet and residential. They also want a safe environment.

ACTION:

Motion by Richard Bigler, seconded by Wendy Salvati, to **accept** the Part 1 Environmental Assessment Form as amended and seek Lead Agency status and commence a coordinated review among involved agencies on the proposed Kingdom Hall worship center located at the northeast corner of Roll Road and Shimerville Road. This project is considered an Unlisted Action under SEQRA.

Gregory Todaro	Aye	Richard Bigler	Aye
George Van Nest	Aye	Timothy Pazda	Aye
Paul Shear	Aye	Wendy Salvati	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Meeting adjourned at 9:20 p.m.

Carolyn Delgato
Senior Clerk Typist