

Town of Clarence
 Planning Board
 Work Session Minutes
 Wednesday September 19, 2012

Work Session 6:30 pm

Chairman Al Schultz called the meeting to order at 6:30 p.m. and led the pledge to the flag.

Planning Board Members present:

Chairman Al Schultz	Vice-Chairman Robert Sackett
2 nd Vice-Chair Wendy Salvati	Richard Bigler
Paul Shear	Gregory Todaro

Planning Board Members absent: Timothy Pazda, George Van Nest

Town Officials Present:

Assistant Director of Community Development Brad Packard
 Councilman Peter DiCostanzo
 Councilman Robert Geiger

Other Interested Parties Present:

Jeffery D. Palumbo	Karen Willyoung
Steven Dale	Margaret Dale

Northwoods Open Space Design Subdivision
 State Environmental Quality Review Act (SEQRA) Review of
 Supplemental Environmental Impact Statement (SEIS)

DISCUSSION:

Chairman Schultz said the Planning Board members will familiarize themselves with the process and set timelines/deadlines for the review of the Northwoods Open Space Design Subdivision Supplemental Environmental Impact Statement (SEIS).

Chairman Schultz distributes a hand-out to the Planning Board members with a list of current on-going projects the Planning Board is reviewing. Discussion on Sign Law revisions was an idea initiated by the Planning Board, but there is no deadline for this project. The Multi-Family Housing Code will be discussed at a joint meeting of the Town Board and the Planning Board on October 3, 2012. Newhouse Acres has been at the SEQRA level for a long time. Northwoods Draft SEIS will be discussed this evening. Dominic Piestrak's project on Clarence Center Road needs another discussion; however there is no rush because this project is within Clarence Sewer District #2, and Mr. Piestrak will not be allowed to do anything there. Mr. Piestrak would like to move forward with Spaulding Green Phase Eleven (11), there are no taps for this project. The Harris Hill Commons project is still

waiting for one more response from involved agencies. The zone on Main Street can be placed on the October 17, 2012 agenda along with a new single-lot split. Mr. Piestrak wants to discuss some concept changes for Spaulding Green. The Clay Hands project is still sitting because they have not resolved what they are going to do for parking. The Twin Rocks project is being stalled to see what happens with the Multi-Family code project. Chairman Schultz reads a letter regarding Gabe's Collision from Mr. Palumbo dated September 12, 2012. A copy of the letter is on file in the Planning and Zoning Office. Damon Morey's position is that, "...in making such a recommendation the Planning Board has exceeded its authority and has completely and utterly failed to comply with the referral made to it by the Town Board on February 22, 2012." This project is on the Town Board's next agenda. Niagara County Produce has their Development Plans in at the Town Engineers office. The Development Plan is consistent with the Concept Plan; this is the same for the Town Mini project. There are three multi-family dwelling projects currently proposed. One is being held up by Clarence Sewer District #2 and the other two are on Wehrle Drive and are not being referred because of the Multi-Family Code that will be discussed on October 3, 2012.

Mr. Sackett said his objective for the October 3, 2012 Joint Meeting is to discuss getting licensed to write Code.

Chairman Schultz explained that the Planning Board is in the process of determining if the draft SEIS for Northwoods is acceptable to send out for public review. The Lead Agency is to take the final written scope and compare it to the draft SEIS and decide if it does what it is supposed to do according to the standards that are written in the law. Once it is decided that it is acceptable the document goes out for public comment. This review is supposed to be done in 45 days; it is the Planning Board's intent to comply with this aspect of the code. The Town Board is the Lead Agency for Open Space Design, so they have to be the one to say it is complete within 45 days. The report was received in the Planning and Zoning office on September 10, 2012. If the Town Board makes their decision at their October 24, 2012 meeting, the Town has complied with that aspect of the law. Mrs. Salvati said the report has to address the items in the scope, whether the items are addressed to the Town/Planning Board's likeness is not what is being determined. Chairman Schultz said all Planning Board members should read the report and send a note listing any concerns to himself and the Planning and Zoning Office by October 8, 2012. October 9th is an Executive Planning Board Committee meeting and all concerns will be reviewed then. The adequacy of the document will also be discussed. Chairman Schultz said if any Planning Board member believes there is something missing from the draft, it must be specifically stated what the applicant needs to do to fix it. The document is supposed to be written in layman terms so the public can understand it. Mr. Sackett suggested if a member finds no issues with the document he/she should send an e-mail indicating that. A hand-out is distributed entitled "Evaluating the SDEIS per §617.9.

E-mails listing concerns of the DSEIS are to be sent to Chairman Schultz only so as not to start a non-procedural dialogue between Planning Board members on the matter. A copy of the e-mails with comments on the DSEIS will be sent to Carolyn Delgato in the Planning and Zoning Office who will maintain a file on the comments.

Meeting adjourned at 7:09 p.m.

Carolyn Delgato
Senior Clerk Typist