

PLANNING BOARD MINUTES

Wednesday February 2, 2005

WORK SESSION 6:30 P.M.

Roll call      Miscellaneous  
Minutes      Agenda items  
Sign review    Communications  
Update on pending items  
Committee reports - Zoning reports

AGENDA ITEMS 7:30 P.M.

ITEM I

Calvin Caruso  
Major Arterial/Residential B

REQUESTS CONCEPT PLAN APPROVAL AND SPECIAL EXCEPTION USE PERMIT FOR DEVELOPMENT OF A CAR WASH FACILITY AT 6705 TRANSIT ROAD.

ITEM II

Bill Wincott  
Commercial

REQUESTS BUILDING PERMIT AND ARCHITECTURAL APPROVAL TO CONSTRUCT A 5462 SQUARE FOOT ADDITION TO EXISTING SERVICE SHOP AT TOWNE BMW LOCATED AT 8215 MAIN ST.

ITEM III

Joseph Floss  
Major Arterial

REQUESTS CONCEPT PLAN APPROVAL FOR CONSTRUCTION OF A 9450 SQUARE FOOT OFFICE BUILDING AT 6465 TRANSIT ROAD.

ITEM IV

Norman Castine  
Residential A

REQUESTS CONCEPT PLAN APPROVAL FOR AN OPEN DEVELOPMENT AREA WITH FRONTAGE LOTS ON GOODRICH ROAD AND LAPP ROAD - LOCATED ON THE WEST SIDE OF GOODRICH ROAD BETWEEN LAPP ROAD AND MARTIN ROAD.

ITEM V

REQUESTS CONCEPT PLAN APPROVAL FOR

Silvestri Architects  
Commercial

CONSTRUCTION OF A NEW 4676 SQUARE  
FOOT HARRIS HILL ANIMAL HOSPITAL  
LOCATED AT 8470 MAIN STREET.

ITEM VI  
Sandra Baker  
Commercial

REQUESTS A CHANGE OF USE FROM  
RESIDENTIAL TO A BEAUTY SALON  
LOCATED AT 6215 GOODRICH ROAD.

ITEM VII

ZONING LAW AND MAP REVIEW.

MINUTES

Motion by Christine Schneegold, seconded by Jeff  
Grenzebach to approve the minutes of the meeting  
held on January 12, 2005 as written.

ALL VOTING AYE. MOTION CARRIED.

Attending: Patricia Powers  
Wendy Salvati  
Christine Schneegold  
Joseph Floss  
George Van Nest

Tim Pazda  
Jeff Grenzebach  
James Callahan  
James Hartz  
Kathryn Tiffany

Interested  
Persons:

Chris Picone  
Donna Callaghan  
Michael Callaghan  
Lino Ayala  
Hal Folckemer  
April Folckemer  
Charles Berardi  
Karen Jurek  
Darcy Snyder  
Steve Fret  
Robert Acquard  
Councilman Scott Bylewski  
Sandra Baker  
Jeff Palumbo  
Robert Baker  
Chris Landon

Donald Cummings  
William Neff  
Loretta Neff  
Phil Silvestri  
Calvin Caruso Jr.  
Bill Wincott  
Dennis Rauquet  
Paul Schultz  
Dan singer

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ITEM I  
Calvin Caruso  
Major Arterial/Residential B

REQUESTS CONCEPT PLAN APPROVAL AND  
SPECIAL EXCEPTION USE PERMIT FOR THE  
DEVELOPMENT OF A CAR WASH FACILITY

AT 6705 TRANSIT ROAD.

DISCUSSION:

This project is located on the east side of Transit Road south of County Road. It consists of approximately 3.3 acres and is zoned Major Arterial on the frontage and Residential B in the rear of the property. The Master plan identifies the area in a commercial classification. The project was referred from Town Board on May 26, 2004 and introduced to the Planning Board on June 16, 2004. It was referred to the Municipal Review Committee, and they recommended a negative declaration to the Town Board. The Town Board issued a negative declaration on November 17, 2004. The Planning Board failed to make a recommendation on the original site plan, and that was at the December 8, 2004 meeting. The applicant has revised the concept and is seeking approval of the Planning Board, as well as a recommendation to the Town Board for a Special Exception Use permit. Jeff Palumbo said a negative declaration means it is not likely to have a significant impact on the environment. There is a single family home, a detached garage and a shed on the site. The shed would be removed. It is a tunnel type car wash similar to Delta Sonic on Transit Road. They will be looking to extend the Major Arterial zoning an additional 400 feet in the rear of the property. Car washes are allowed in the Major Arterial zoning with Town Board approval for a Special Exception Use permit. The applicant does not believe there will be a depreciation of value if this car wash permit is granted. It will not create undue congestion or hazards to the neighborhood. The Delta Sonic facility stacks 32 vehicles, this facility will stack 50 vehicles on site. They have had a limited traffic study done, and they have determined that the maximum vehicular trips per hour is approximately 60 to 70 cars. This means you will be adding 60 to 70 more cars per hour to the 22,000 cars

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that go by on a daily basis in that area. The D.O.T. has concluded that is not likely to have any significant impact on the traffic, and the D.O.T. has stated that in writing. Chairman Powers asked if

there were any questions from the Planning Board for Mr. Palumbo or the Mr. Silvestri. Tim Pazda asked how the house on site will be used. Mr. Palumbo said the house may be used by a manager of the car wash, a member of the family, or rented out. There were no questions from the audience. Pat Powers asked for a motion.

**ACTION:**

Motion by Joseph Floss, seconded by Jeff Grenzebach to recommend to the Town Board, concept plan approval and Special Exception Use permit for development of a car wash facility at 6705 Transit Road with the following conditions:

- 1) Reduce down to one curb cut.
- 2) Provide an appropriate screening for neighbors to the north and to the south of their property.
- 3) Receipt of the Fire Chiefs affirmative approval before this goes to the Town Board.

**On the Question?**

Jeff Grenzebach asked Joe Floss if he meant eliminating the curb cut to the house. Joe said “That is up to the applicant to figure out how to come up with one curb cut, but eliminating the residential driveway and accessing that structure from the rear of the proposed new driveway is entirely possible. Allowing two curb cuts on 122 feet of frontage goes against what we are trying to accomplish in regards to land use management access (LUAMP) and each curb cut creates additional conflict points on Transit Road.”

George Van Nest	AYE
Tim Pazda	NAY
Jeff Grenzebach	AYE
Joe Floss	AYE
Christine Schneegold	NAY
Wendy Salvati	NAY
Patricia Powers	NAY

**MOTION FAILED.** Applicant has the right to go to Page 2005-13

the Town Board without a recommendation from the Planning Board.

**ITEM II**

**REQUESTS BUILDING PERMIT AND**

Bill Wincott  
Commercial

ARCHITECTURAL APPROVAL TO CONSTRUCT A  
5462 SQUARE FOOT ADDITION TO EXISTING  
SERVICE SHOP AT TOWNE BMW LOCATED AT 8215  
MAIN STREET.

DISCUSSION:

Jim Callahan said this property is located on the south side of Main Street east of the Stonegate office complex. It consists of approximately 3.9 acres and is zoned Commercial and houses the existing BMW Mini Cooper auto sales operation. The Master plan identifies the area in a Commercial classification. The applicant is proposing to construct an addition to the existing service area. There was some clearing of the rear of the property that destroyed the natural buffer to the adjacent neighbors. The Town Board did refer the request to the Planning Board on December 1, 2004. The applicant has prepared a revised landscaping plan and has met with the adjoining neighbors to address the buffering issues. The applicant is here seeking Planning Board recommendation on the project. Bill Wincott of D.R. Chamberlain is the design engineer for this project. He stated " Towne BMW has had numerous meetings with the adjoining neighbors on this project. In addition to what we are proposing, we will construct a berm on the south east side that will be approximately 36 feet in width. The neighbors to the east have incorporated some of the property into their backyards. We will start the berm at the end of their landscaped and managed area. The berm will have staggered pine trees, and they will extend the existing stockade fence to the south east corner of the detail shop, and they will plant a climbing rose on the east side. They will also carry the berm down the south property line, and gradually taper it off until it meets existing grade where the existing landscaping has been terminated. The neighbors have expressed some concerns over the front flag pole lighting. They have eliminated the light for the flag. The rear lighting that was installed, the four sets of poles, we have installed outside shields to completely eliminate the light heading to the east. They have been set up on a timer, three lights will go off on a timer at the close of business, the

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fourth light will be maintained until the early morning hours for security purposes. The neighbors seem to be agreeable to this. There will be additional maple trees planted at 4248 Foxwood. The new parking area is strictly

for new car inventory storage.” Neighbors said they have been meeting with staff from BMW. The flag pole issue has been resolved. They were concerned when a parking lot appeared removing the buffer, and are concerned that anything put up to fix the problems will be maintained by BMW in the future. They want to make sure they are being protected and that everything that could be done is being done. Pat Powers said that there is an approved landscape plan dated January 18, 2005. BMW has met the standards of the landscape ordinance.

**ACTION:**

Motion by Patricia Powers, seconded by Wendy Salvati to recommend to the Town Board approval to construct a 5462 square foot addition to the existing service shop at Towne BMW at 8215 Main Street with the following conditions:

night,

- 1) The approved landscape plan is to be in place no later than July 1, 2005. BMW will be required to post a bond for completion of the landscaping. The amount will be determined by the landscape committee.
- 2) The southwest pole light will be the only light left on at night and that is to be set on a timer.
- 3) Lighting for the flag is to be restored or the flag is not to be flown at night. The light that was objectionable is to be removed so it isn't a problem in the future.
- 4) All lights are to be properly shielded.
- 5) A copy of the letter from Mr. Singer for the file.

ALL VOTING AYE. MOTION CARRIED.

ITEM III  
Joseph Floss  
Major Arterial/Commercial

Page 2005-15  
REQUESTS CONCEPT PLAN APPROVAL FOR THE  
CONSTRUCTION OF A 9450 SQUARE FOOT OFFICE  
BUILDING AT 6465 TRANSIT ROAD.

**DISCUSSION:**

Chairman Powers said she would like to state the following: Before we begin the review of this project I

would like to state that the Planning Board acknowledges that Mr. Floss is a member of the Planning Board. He is here this evening as is the right of any citizen, to formally have his proposed project presented to the entire Planning Board. It should also be noted that he has filed a transactional disclosure form with the Town Clerks office and the Planning Board. He will not be voting on this project. Jim Callahan said this property is located on the east side of Transit Road between Old Post Road and Miles Road. It is in the Commercial zone, and the Master plan identifies this area in a Commercial zone. It is presently home to a 6400 square foot office building. The applicant is seeking permission to construct a second office building on the site. This project was referred by the Town Board on January 19, 2005.

This represents the introduction of the project to the full Planning Board. Paul Schultz is the attorney on behalf of JMF Properties, which is solely owned by Joe Floss. The office will be approximately 9450 square feet. He is amiable to access to the north to a development currently under consideration. Pat Powers asked if there were any questions from the Planning Board members. Jeff Grenzebach asked if they were going to use the existing curb cut. Mr. Schultz said "Yes". Tim Pazda asked the percentage of green space. It will be 25% green space. The building will be on the south side of the property, and the parking to the north side. Pat Powers asked what kind of windows will be to the east of the property. Joe said they will be amiable to his Father who lives behind the proposed building. Joe said he believed there is a 30 foot buffer to the property line. Pat asked about granting an easement to the south property line to facilitate the land use access management plan. Joe said he is a strong proponent of access management. Pat asked Jim Callahan the procedure for the building which will not be built until sometime in the future. Jim Callahan said we will take the building through the normal development plan review process. Ultimately the architectural approval will rest with the Town Board. But certainly the Planning Board can act on the concept and development to

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further the project to the point where ultimately the Town Board will approve the architectural style. Christine Schneegold asked if there would be lighting left on at night. Joe Floss said there is currently lighting in the rear of the existing Floss building that faces toward Transit Road, and

actually some building lighting that does face a little to the east. There are no properties that are currently inhabited except to the rear.

ACTION:

Motion by Wendy Salvati, seconded by Jeff Grenzebach to refer this to the Municipal Review Committee, Fire Advisory, and Traffic Safety for review and comment.

George Van Nest	AYE
Tim Pazda	AYE
Jeff Grenzebach	AYE
Christine Schneegold	AYE
Wendy Salvati	AYE
Patricia Powers	AYE

Joseph Floss did not vote, he recused himself because it is his project.

MOTION CARRIED.

ITEM IV  
Norman Castine

Residential A

REQUESTS CONCEPT PLAN APPROVAL FOR AN OPEN DEVELOPMENT AREA WITH FRONTAGE LOTS ON GOODRICH ROAD AND LAPP ROAD - LOCATED ON THE WEST SIDE OF GOODRICH ROAD BETWEEN LAPP ROAD AND MARTIN ROAD.

DISCUSSION:

Jim Callahan said Mr. Castine told him he will be in Florida. Pat Powers said we would not have been moving on this item tonight anyway, so let's hear the history and invite the neighbors to speak. This property is located on the west side of Goodrich Road between Martin and Lapp. It consists of approximately 45 plus or minus acres, and is currently zoned Residential A. The Master plan identifies the area in an Agricultural Rural Residential classification. The applicant is seeking approval of a four lot open development area with frontage lots on both Lapp and Goodrich. The project was referred from Town Board on January 19, 2005,

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and this represents the introduction of the project to the Planning Board. Mr. Castine is proposing a four lot open development on the south side of the property. He has some frontage lots identified on Goodrich Road, and a large tract of land that would be accessed off the Lapp Road frontage for a single

family home. There is some additional frontage over here on Lapp that has not been clearly identified as yet. The principal project would have access off Goodrich Road, for four large lots, and a frontage lot off that same access drive. Tim Pazda said "What is written here on the agenda, and what is shown are not consistent, and I think we need a whole lot more clarification, before we can act on it. It is clearly not the same thing." Wendy Salvati said "This is showing approximately nine lots which is venturing into major subdivision territory here." We really need more information from him. Pat Powers said "We intend to refer this project to the Town Attorney for an opinion about the number of parcels that have been split off from that." The neighbors had concerns about the poor drainage, the 55 mph speed on Goodrich Road with additional cars pulling out on Goodrich, the number of splits that have occurred in the area, increased drainage problems for the existing neighbors with the four new homes that have been built recently, the actual number of lots that are being proposed, and if they could be divided in the future. Also, there was a concern about the effects if the creek is altered in any way. Chairman Powers said the concerns have been noted, and will be brought to the attention of the Town Engineer should the project reach that point. The only action on this tonight will be to table it, and seek the opinion of the Town Attorney. Neighbors will be notified the next time this is on the Planning Board agenda.

**ACTION:**

Motion by Patricia Powers, seconded by Tim Pazda to table this item until an opinion from the Town Attorney has been given regarding the number of splits that have already taken place on this parcel.

**ALL VOTING AYE. MOTION CARRIED.**

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**ITEM V**  
Silvestri Architects  
Commercial

**REQUESTS CONCEPT PLAN APPROVAL FOR  
CONSTRUCTION OF A NEW 4676 SQUARE  
FOOT HARRIS HILL ANIMAL HOSPITAL  
LOCATED AT 8470 MAIN STREET.**

**DISCUSSION:**

Jim Callahan said this property is located on the north side of Main Street west of Harris Hill Road.

It consists of approximately six tenths of an acre in the Commercial zone, and is home to the existing Harris Hill Animal Hospital. The Master plan identifies the area in the Harris Hill Traditional Neighborhood District. The applicant is seeking concept plan approval for a new facility at this location. The project was referred from the Town Board on January 19, 2005 and this represents the initial introduction of the project to the Planning Board. Phil Silvestri said they are proposing a new building, which will allow the existing building to remain in operation while the new building is built. They have 21 parking spaces shown on the plan, all located in the front. The building will be properly landscaped with foundation planting, landscaping in the front as well as both sides of the property. The building will be residential type construction. It will have all brick around the entire perimeter with stone at the corners, residential type windows, and asphalt shingles. Joe Floss asked Mr. Silvestri if he had included any walkable elements or enhancements along the sidewalk area, right of way area? Mr. Silvestri said he thought the owners would be receptive to that. Joe asked if they would consider driveway access with the neighbor to the west so both of you could reduce the conflict points. Their concern would be the reduction in the number of parking spaces, because they feel they will have a larger customer base and need the 21 parking spaces. Jeff Grenzebach said he would like to see some of the parking to the back of the building. Mr. Silvestri said it would interfere with the septic system and reduce the number of parking spaces to 15 if they moved the parking to the back, and brought the building forward. Also, customers are carrying their pets in cages etc,

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and it is important that they don't have a long distance to carry them. There is a two and a half garage they will have to remove to provide access for building the new structure. Wendy encouraged driveway access with the neighbor. Tim Pazda said he had been at the Animal Hospital today, and could not make a left turn on to Main Street, so he made a right and went down Arondale. If they

could provide access to the next door neighbor it would be helpful. Dr. Rohan said that would only get us to the dental office. Tim Pazda said it would be one step at a time. If you don't get the first one you never get the second one. Joe Floss said you could hold it in reserve for us, it doesn't mean it is going to happen overnight. First of all we would need cooperation from the neighbor to the west. All we could ask of you is to pave to the property line to allow the connection, which can be used for parking until such time that we have an agreement. Mr. Silvestri said they would accept that as a condition. Jeff Grenzebach said if they moved the building up they could put the parking in the back. Dr. Rohan said they need to keep the existing building in operation, this is expected to be a six month project. There are two monkey wrenches- the septic system, and the smaller number of parking spaces, fifteen instead of twenty one spaces. Wendy Salvati said in a TND there is no parking in front. If the building was smaller they could have the required number of parking spaces. Mr. Silvestri said there is more to it than just the number of required parking spaces. We cannot develop demolish the existing building. The loss of income is too great. Pat Powers asked if the customers could go to the closest location at 6020 Transit in Depew. They said customers would be passing 3 other veterinarians clinics between this location and the other location in Depew. Joe Floss said "I know we have a wish list, and I know it is a pending TND, but it doesn't exist currently. We are struggling to do the right thing for the community for the long term, not just for today. But in the same token, we have to take into consideration a valid request with the zoning that exists, and do everything we can for an entrepreneur that is willing to put this kind of capital into

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the ground. Pat Powers asked if anyone in the audience had any comments. No one came forward.

**ACTION:**

Motion by Joseph Floss, seconded by Wendy Salvati to send this project to the Municipal Review Committee, Fire Advisory, and Traffic Safety for review and comment to give additional data to the

Planning Board.

ALL VOTING AYE. MOTION CARRIED.

ITEM VI  
Sandra Baker  
Commercial

REQUESTS A CHANGE OF USE FROM  
RESIDENTIAL TO A BEAUTY SALON  
LOCATED AT 6215 GOODRICH ROAD.

DISCUSSION:

Jim Callahan gave a brief history of the project which is located on the east side of Goodrich Road south of the entrance to the Town Engineering & Building Dept. The property is an existing residential dwelling located in the Commercial zone. The Master plan identifies the area in a Commercial classification, the applicant is seeking a change in use from residential to residential and a commercial beauty salon. The project was referred from the Town Board on October 23, 2004. The Planning Board has held several meetings with the Planning Board, as well as the Executive Committee of the Planning Board. Jeff Palumbo represents Sandra Baker. They submitted a slightly different plan this afternoon, and Mr. Palumbo passed out copies. This is a two story property which his client has purchased. The second floor is a rental apartment, and the first floor is a beauty salon area, and there will be two chairs. As late as yesterday he thought there was an agreement with the Executive Committee of the Planning Board, and he indicated they would submit a modified plan today. It shows an additional driveway to the north of the building, it has the appropriate number of parking spaces for this facility. There is a letter from the County saying they have no objection to this driveway on the north side of the building as well as the existing driveway to the south. We are showing the

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turnaround that the board was inquiring about, so cars would not have to back out on Goodrich Road.

We believe we have complied with your ordinances in every respect, and we were disappointed to receive a fax this afternoon that completely changed the plan that we thought we had an agreement with. We would ask that this

board forward a recommendation to the Town Board to approve the plan that we have submitted to you. If you have any questions we will try and answer them for you. Chairman Powers said "When this plan was first referred to the Planning Board in October of 2004, it was already flawed. Work had already commenced on the site without any documented approval. And ever since we have attempted to make a silk purse out of a sows ear. As we all know we have not been very successful. We have advocated from the get go a parking lot in the rear yard, and restoration of the front yard. This idea was originally met with resistance. This project has been removed twice from the agenda at your request Mr. Palumbo. Yesterday morning at the Executive Committee meeting, we were assured that the applicant was not represented by counsel. Three times the applicant was asked, and the applicant tape recorded the discussion so it is on tape. And her response three times was that she consulted with you. Jeff Palumbo said "I am standing here so I must be here." Pat Powers said "So how are we to know? Under ordinary circumstances if an applicant has retained counsel, we are not supposed to be talking to the applicant unless the counsel is present." Jeff Palumbo said "I am not sure what that has to do with the site plan in front of you, or the approval that we agreed upon yesterday at the Executive session. I think that is really the issue. I think you know that my client does not have the money to put that parking lot in the rear. We are talking about a small business person here, a Clarence resident who bought the property that is zoned Commercial. There is nothing in this ordinance that prevents her from putting a parking spot in front of this building. It may be your preference not to have that, but it is not your right. The ordinance dictates what is allowed and not

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allowed. There is nothing in the ordinance that says you cannot have a parking space in the front. She is not financially capable of putting that parking lot in the back. It is as simple as that. This is the plan. If you don't like it, and you have legitimate reasons to deny it, then deny it. If you don't have legitimate

reasons then it should be approved. So far I haven't heard any legitimate reasons for denial." Pat Powers said "Our main concern is, as I thought was Ms Bakers concern, the primary concern was safety. The plan that was presented yesterday morning to the Executive Committee on first blush may have looked like it might be doable, but when we sat down and figured parking spaces etc. it doesn't really answer the safety problem. You still have people backing out on Goodrich Road only it compounded the problem by adding a second driveway." Jeff Palumbo said "And who indicated it was a problem? The County hasn't indicated that it is a problem, in any manner. There are people backing out on to Goodrich Road throughout the Town. There are people backing out all over the place. When did it become a problem backing out on to Goodrich Road? You have approved it for Big Sing's, you have approved it throughout the Town. Pat Powers said "We did not approve Big Sings. It was never referred to the Planning Board- it was a change of use approved by the Town Board." Jeff said "The Town Board approved it, then I apologize." Wendy Salvati said "After you left yesterday, and I took a closer look at this, one of the things we talked about was the fact that you located your driveway right next to the roadway where trucks are coming down. That became one of our concerns, to add a second curb cut right next to a wider operating driveway. So again we move back to this question of traffic safety. I understand you have a letter of approval from the County, but when the County approved that second curb cut, were they looking at this? I don't agree with it from a traffic safety standpoint. I don't think it is good planning." Joe Floss said " Jeff, we sent this to Traffic Safety to try and get some feedback.. That is our local branch the town of Clarence Traffic Safety Committee because of

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our concern for people backing out on Goodrich Road for business reasons. Their comment back on December 6<sup>th</sup> was no recommendation for lack of a proper plan submitted for review. So we didn't get a recommendation for or against from them. It was signed by Gary Wright on December 6, 2004. Just

to respond to your concern of what have we looked at or considered regarding traffic safety.” Jeff Palumbo said “Is there anything that indicates that there is a problem with the backing out?” Several members said “But they weren’t looking at this plan.” Joe said “If we are to move on this tonight, I would recommend that we condition it upon traffic safety approval before it goes to Town Board. I hate to keep tabling this, I think we ought to move this one way or another.” Sandra Baker said “Can I make a comment? I came to Traffic Safety when they were all there, and they all agreed that my plan was fine. I had my survey, I had my complete plan right in front of them. I explained the whole thing, I showed it to them. Chris Schneegold walks in, and she says wait a minute, all you are supposed to consider ...I was at a meeting this week and don’t even consider that for a parking lot, that is going to be restored to green space. I asked Chris who told you that? She said she would rather not say. So, she said all we have got to know is would it be safe for her clients to back into Goodrich Road. Gary Wright said it is fine, nothing is going to change, her tenants have been backing up, the neighbors, everybody backs up into Goodrich Road. When I left, I thought I had a favorable recommendation. It was suggested to me that I go in and look at my file. I did and my traffic safety recommendation was all crossed out, and it said no recommendation, lack of proper plan submitted for review. I had my plan there. So, I wrote a letter to Mr. Callahan.” Pat Powers said “Do you have a new plan? Do you have a new plan for traffic safety? Because the report that we received from Traffic Safety does not indicate any of the things that you have just stated.” Jeff Palumbo said “If you are asking us if they have seen the plan that we have in our hands? No, they couldn’t have, because it was just prepared

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yesterday.” Pat Powers said “No, that is right, they have not seen this.” Jeff said “This plan provides for the turnaround, which prevents the backing out on to Goodrich. That was the whole idea.” Sandra Baker said “I wrote Mr. Callahan a letter January 13th asking if I could be placed on the next Traffic Safety Board which is the 7<sup>th</sup>, to

find out why when I attended the meeting, I left with a favorable recommendation only to find out later, I don't have a favorable recommendation. Could I be placed on the agenda so I can provide them with whatever I need to get a favorable recommendation? Please tell me what I can take to Traffic Safety to get a favorable recommendation. I also wrote a letter to him asking just what specifications I must meet to get a change in use for 6215 Goodrich Road from residential to beauty salon. He writes back that Planning and Zoning has received all required work to act on the change in use as requested. I have been trying ever since September to do every single thing that I can do. I am a very small business, I work one day a week, I have five elderly ladies. My 94 year old lady does not drive in, she is dropped off. Another lady who is kind of disabled is dropped off by family, the rest of them are in their seventies. I have been doing them for 30 years. My son is going to be operating a barber shop. I am sure there is not going to be all that much traffic. And for putting my parking in the back, my husband is on disability, and I have two kids in college. I can't afford this. We have already lost, since September, a lot of income, and it just seems so long. I am trying to do every single thing that I know how to do, and it is just getting to the point where it is too stressful to keep going when I find out that meetings finish when I am there. I was shocked when I found out this Chris." Christine Schneegold said " Let me say something okay? Traffic Safety did not make a comment, because they didn't know. That survey that they had was all scratched up, it was all marked up, they didn't know what they were supposed to be looking at." Jeff Palumbo said "With all due respect, Mrs. Baker was there. If they didn't understand it, they could have

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explained that to her before she left, so that she could have properly explained it, but that didn't happen." Chris said "That didn't happen." Jeff said "When she left, there wasn't any confusion, the confusion apparently came in after she left." Chris said "They really were confused by the survey." Sandra Baker said "They said very clearly that yes

it was safe to back out into the street, everybody does it, my tenants have been doing it for years and nothing will change. So, yes they said it was safe.”

Pat Powers said “That might be what they said, but that is not what the report says.” Jeff Palumbo said “We have now provided the turnaround, so there is no need to back out. So, aren’t we wasting a lot of time?” Wendy Salvati said “But the other driveway doesn’t have a turnaround.” Jeff Palumbo said “It has a parking space.” Wendy Salvati said “Your existing driveway - is it paved? Or is it a gravel driveway?” Sandra Baker said “It is paved.” Wendy Salvati said “You are going to have to invest money into paving the second driveway.” Mrs Baker said “Right.” Wendy Salvati said “That is one of the things that we considered yesterday. You are already going to have to make an investment in that.” Jeff Palumbo said “Again, paving and providing drainage for a parking lot in the rear are two different things, as you know. Far different things. It is more expensive to put a parking lot in the rear. You have to do a fully engineered drainage plan given the disparity, and the height of the of the property owned by the Town immediately adjacent, and our property. There are issues back there in terms of drainage. We are not going to be back there.” Chairman Powers said “If there are no further questions or comments from the Planning Board members or the audience, If not I would like a motion.

**ACTION:**

Motion by Joseph Floss, seconded by Jeff Grenzebach to recommend a change in use from a residence to a beauty salon located at 6215 Goodrich Road subject to the following conditions:

1) There be no parking in the County right of way because it obstructs the view.

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2) Any parking area that is in the right of way be it stone or any other hard packed surface, be reclaimed to green space.

3) The plan is brought to and approved by the Traffic Safety Board of this Town for a permanent approval prior to it being put on a Town Board agenda.

4) Parking must be paved and all parking spaces

must be striped.

George Van Nest	NAY
Tim Pazda	AYE
Jeff Grenzebach	AYE
Joseph Floss	AYE
Christine Schneegold	AYE
Wendy Salvati	NAY
Patricia Powers	NAY

MOTION CARRIED.

## ITEM VII

### ZONING LAW AND MAP REVIEW

Jim Callahan said they have put together draft comments from the public hearing last week at the Town Board level. I would ask the Planning Board to review these comments add, subtract, feel free to make any amendments to it. Our task is to go through those comments and give a response back to the Town Board so they can consider adoption of the law.

Motion by Tim Pazda, seconded by Wendy Salvati to adjourn the meeting

ALL VOTING AYE.

Meeting adjourned at 9:40 p.m.  
Patricia Powers, Chairman