

Town of Clarence
Planning Board Minutes
Wednesday, March 7, 2007

Work Session (6:30 PM)

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

Agenda Items (7:30 PM)

Item 1

Regent Development, Inc.
Major Arterial

Requests Development Plan Approval for a 9,000 square foot Medical Office Building for Phase II of Transit Center Office Park at 6105 Transit Road.

Item 2

St. Mary's Church
Traditional Neighborhood

Requests Concept Plan Approval for a proposed new worship hall at 6925 Transit Road.

Item 3

Benderson Development
Major Arterial

Requests Concept Plan Approval of a proposed commercial structure for retail, office and restaurant use at 5965 Transit Road.

Item 4

Dr. Altman
Restricted Business

Requests Concept Plan Approval for a 4,728 square foot Medical Office Building at 8421 Sheridan Drive.

Item 5

Love Your Dog
Traditional Neighborhood

Requests a recommendation for a Temporary Conditional Permit at 6989 Transit Road.

Item 6

Uncle Bob's Self Storage
Commercial

Requests Concept Plan Approval for a new storage building at 8175 Main Street.

Planning Board Members Present:

Patricia Powers, Chairperson
Gerald Drinkard, 2nd Vice Chairperson
George Van Nest

Wendy Salvati, 1st Vice Chairperson
Jeffrey Grenzebach
Richard Bigler

Planning Board Members Absent:

Timothy Pazda

Other Town Officials Present:

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

Other Interested Parties Present:

Duane Pieri	Lois Daigler
William Schutt	Ken Pearl
Maurice Vaughan	Joan Matheis
Melissa Thore	Frank Raquet
Mike Thore	David Altman
Mary Powell	Jeff Palumbo
Phil Silvestri	Jim Rumsey
Russ Anderson	Andy Tredo
Jerry Haas	James Boy
Mark Spoth	Don Swanson
Janice Jabcuga	

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

Motion by Gerald Drinkard, seconded by Jeffrey Grenzebach, to **approve** the minutes of the meeting held on February 21, 2007, as written.

Patricia Powers	Aye	Wendy Salvati – not in attendance yet
Gerald Drinkard	Aye	Jeffrey Grenzebach Aye
George Van Nest	Aye	Richard Bigler Aye

MOTION CARRIED.

Item 1

Regent Development, Inc.
Major Arterial

Requests Development Plan Approval for a 9,000 square foot Medical Office Building for Phase II of Transit Center Office Park at 6095 Transit Road.

DISCUSSION:

Patricia Powers explains the correct address is 6095 Transit Road.

Jim Callahan provides the history on the project. It is located on the east side of Transit Road, south of Woodbridge Lane. It consists of 2.9 acres and is zoned Major Arterial. The concept was originally approved in 2005 and amended to the present design on January 10, 2007 with approval by

the Planning Board. The applicant is present seeking a recommendation for Development Plan on the amended design.

Phil Silvestri, of Silvestri Architects, Russ Anderson, representing the owner and Andy Marino, of Tredo Engineers, are all present. Mr. Silvestri explains the building will have a pitched roof with architectural asphalt shingles, it is basically residential construction. The building will have a wood frame construction with a brick veneer. It is very compatible with the existing adjacent building.

Patricia Powers advised the applicant that a Development Plan Checklist is required within one week. Last week Mr. Huck received a clearing permit from the Town Board.

Mr. Anderson did not understand why the Planning Board requested a sidewalk connection from Transit Road to the sidewalk. After further discussion, it is understood that the Planning Board is asking for a connection from the sidewalk that runs along Transit Road to the interior of the site. The applicant is willing to put a sidewalk in.

ACTION:

Motion by Jeffrey Grenzebach, seconded by Wendy Salvati, to **recommend** Development Plan Approval for a 9,000 square foot medical office building located at 6095 Transit Road, subject to the following conditions:

- The Town Engineer’s letters of February 22, 2007 and March 2, 2007, regarding the floodplain development permit that will be required.
- Access road with minimum of 24’ width, per the original Fire Advisory recommendation.
- Sidewalk access to the existing sidewalk on Transit Road.
- Site disturbance shall be limited to only those areas required for Phase II, all other g greenspace and vegetation to be left untouched and undisturbed and to be protected by orange fencing during the construction period.
- The project is to be served by the existing driveway.
- An approved Landscape Plan is required prior to being placed on a Town Board agenda.
- The Commerical Open Space Fee.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

Councilman Bylewski advised the applicant that since this project will be placed on the next Town Board meeting agenda, the Development Plan Checklist must be completed and submitted to the Planning and Zoning Office well in advance of that meeting. The date of the Town Board meeting is March 14, 2007.

Item 2

St. Mary’s Church
Traditional Neighborhood

Requests Concept Plan Approval for a proposed new worship hall at 6925 Transit Road.

DISCUSSION:

Jim Callahan provides the history on the project. It is located at the southeast corner of Transit Road and Stahley Road. The proposal is for an expansion of the existing church campus. It was introduced to the Planning Board on January 24, 2007; the applicant is seeking referral to continue the process.

Ken Pearl is representing St. Mary's building committee; he introduces Bill Schutt, who is the civil engineering consultant on the project. Mr. Pearl has received updated information clarifying how the parking is to be calculated. There is a parking area near building A on the plan; the parking spaces in this area have been taken out of the equation. Mr. Pearl explains that the parking would remain but in terms of being considered as part of the required new parking it has been removed from the equation. The parking to the south side of the lot has been increased. Mr. Pearl clarifies that there is no intent of a roadway through the southern part of the property to County Road.

Patricia Powers asked Mr. Pearl how the negotiations with the neighbors regarding their concerns are coming along. Mr. Pearl said he is waiting for direction from the Planning Board before he explains to the neighbors what happens next.

Mr. Drinkard asks if the applicant has received a letter from the Fire Company stating that people are allowed to park in their lot for church functions. Mr. Pearl explains that he has not received a letter yet; he was waiting for further information, which he just received this morning, before he could obtain a letter from the Fire Company. He goes on to explain that there is a current agreement with the Fire Company that allows parking for St. Mary's patrons that will be maintained, however he thinks there will be a discussion on parking at the Fire Company for holidays or special events, not routine parking, his goal is to accommodate parking under normal circumstances on site. There has been a formal agreement for years. Patricia Powers explains that the parking agreement is required.

Mr. Pearl foresees an issue during construction and is aware that he would also have to have a parking agreement specific to parking during this time. Mr. Drinkard suggests limiting the times for large construction vehicle activities. Mr. Pearl agrees and explains that controlled access will be part of the construction period as well.

Melissa Thore, of 8070 Stahley Road, refers to a letter date February 15, 2007 which was submitted to the Town by the applicant stating that the intention is to move the project ahead as submitted with no additional changes. She has taken several more photos showing traffic issues, she submits the photos and a letter to the Planning Board; these documents will become part of the file. Ms. Thore points out that there have been 2 vehicles land in her front yard in the month of February, because the driver is taking the corner so fast. She indicates that this is a horrible snow drifting area as well and it makes it hard to see down Stahley Road towards County Road.

Patricia Powers explains that shortly after the letter that Ms. Thore refers to was received in the Planning and Zoning Office, Mr. Pearl and Mr. Schutt met with the Executive Planning Board Committee and discussed what appeared to be a misunderstanding, she hopes it has been resolved.

Mr. Schutt explains that structurally there have been no changes to the plan, other than the reallocation of parking spaces.

Wendy Salvati asks if the applicant will eliminate the 20 parking spaces near building A since they extend out into the right-of-way. Mr. Pearl said that question can not be answered yet; he does not know what authority the church has since this may be County property. This is a pre-existing non-conforming condition and the church would have to invoke a construction project to remove the lot, however this can not be done if the church does not own the property. The applicant has not had time to research this issue. Wendy Salvati suggests the applicant look into this concern.

Jerry Haas has lived in the Town for 70 years and said the parking near building A has been there since before he was born.

Patricia Powers explains that the Special Exception Use Permit (SEUP) will be taken care of at the Town Board level and will probably not be considered until such time as the project comes back to the Planning Board with a Negative Declaration on the project.

Mr. Drinkard asks if the applicant would consider putting in a road that runs right to County Road now and letting the cluster of activities begin to revolve around it. Mr. Pearl said the cost to do this would be significant. He also points out that this project is not just for a church but a school as well and the growth of the school needs to be taken into consideration; the changes in the diocese need to be taken into consideration as well and many of these changes are unknown at this point. Mr. Drinkard points out that if a road was put in it could take traffic away from the Transit Road corridor. Mr. Pearl explains that because of the water way in this area, if a road was considered, it would have to be too close to the County Road and Stahley Road intersection.

ACTION:

Motion by Gerald Drinkard, seconded by Wendy Salvati, to **refer** agenda item number 2 to the TEQR Committee and the Fire Advisory Board.

ON THE QUESTION:

The TEQR Committee is advised that the Planning Board is concerned with the traffic flow on Stahley Road, County Road and Transit Road. Other concerns are parking on and off the site, the character of the neighborhood and the quality of life issues for the neighbors.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

Item 3

Benderson Development
Major Arterial

Requests Concept Plan Approval of a proposed commercial structure for retail, office and restaurant use at 5965 Transit Road.

DISCUSSION:

Jim Callahan provides a history on the project. It is located on the east side of Transit Road, south of Clarence Center Road and consists of approximately 3 acres. It is zoned Major Arterial along

the frontage. The proposed commercial mixed-use project was introduced to the Planning Board on February 7, 2007. The applicant is seeking referral to continue the review process.

Jeff Palumbo, of Renaldo and Palumbo, and Jim Rumsey, of Benderson Development are both present. Mr. Palumbo distributes an updated site plan and explains that the changes are in response to the Planning Board's requests from the prior meeting. The layout of the building and the parking remain the same. Mr. Palumbo explains that landscaping has been added to the wall on the north side of the building, he understands this will be subject to the Town's Landscape Committee Review. The building will average 30' at the top of the roof gable. The total landscaping for the entire area is at 54%, the actual development area is approximately 25%. The applicant has tried to redesign the building to eliminate the parking in the front; however, Mr. Palumbo said this would not be cost effective. The updated site plan shows the pedestrian access from the sidewalk to the building, as the Board requested. The plan also shows a future connection to the east of the neighbors building. The distance between the rear property line and the rear of the parking lot is 156', the distance between the rear property line to the building is just under 300'. With regards to the lighting, the height of the poles will be 14'-18'. The bottom of the detention basin on the north side of the property will be installed 3'-4' below the existing grade, there will be no overflow issue.

In response to Mr. Van Nest's question as to how the stores will be sequenced, Mr. Palumbo does not know yet. Mr. Rumsey said the restaurant would be a Starbucks-Type restaurant.

Mr. Van Nest voices his concern with the traffic that will be generated, it seems congested and he would like to see how the applicant will maximize the arrangement and flow of traffic.

Patricia Powers asks what the distance is between Master Chong's driveway and the applicant's access point. The distance is approximately 250'. Wendy Salvati said the shared access can not be at the rear because Master Chong's long term plan is to extend his building to the rear. She said the only place for shared access is in the front and Master Chong's detention area is there. Mr. Palumbo said there is a lot of room to the back of the property to put the access road. Patricia Powers said Master Chong will need to be aware of the wetlands that are located on his property.

Mr. Drinkard reads a letter from Gary and Debbi Zunner dated March 7, 2007: We would like to express our concerns regarding the proposed office/retail/restaurant project of Benderson Development at 5965 Transit Road. We live at 8060 Roseville Lane which is located adjacent to the east side of this Benderson property. Our major concern has to do with the eastern-most parking area on the proposed site plan. This additional parking area protrudes out from the rest of the parking, using far more of the land at the east end of the lot. This paved area would require the removal of approximately 15-20 mature trees. These trees are some of the largest trees on the entire lot and provide the residents of the area with a much needed buffer from the noise and the view of the proposed commercial building and Transit Road, itself. It would seem terrible to remove this number of mature trees for the sake of additional parking spaces required for a building of this size. We feel that the size of this building is far too large for the size of the property and the proposed square footage, etc. is dictating the number of parking spaces required. Benderson Development is trying to maximize their use of this land but it comes at the expense of the surrounding trees, wetland and residents in this area. Our other concerns have to do with the placement of dumpsters on this property, particularly with regard to food items from a restaurant (odors, animals, etc.) and the placement and height of lighting which will be on 24 hours a day close to our windows. Please reduce the size of this building and its related parking area, and consider our other concerns with this project. We ask this of the town as the residents who will live next to this property for many years to come. Thank-You.

Patricia Powers asks Mr. Rumsey to see what the proposed building would look like on the north side; this is what Mrs. Daigler will be looking at. Mr. Rumsey provides a drawing for the Board to view. The northern elevation will be enhanced with landscaping.

Lois Daigler, of 8041 Clarence Center Road, voices her concern regarding the retention pond that is proposed for the north side of the site. It is pointed out that the pond will run along the north side of the building. She is very concerned with standing water, the cattails, the mosquitoes and the snakes. She is concerned for the safety of her grandchildren who play in the area. She suggests putting the detention pond underground. The proposed pond is along her back property line. Wendy Salvati said it is possible to put the system under the parking lot. Mr. Rumsey explains that the proposed detention pond would retain storm water and then slowly drain into the storm system; it is designed to be dry but during a storm it would be wet; it will be mowed.

Mr. Drinkard asks if the applicant has done any pre-engineering calculations to determine if the area in question will, in fact, be the detention pond. Mr. Rumsey said as soon as the civil engineering gets under way they will be able to provide a more specific answer. The applicant's estimation is that the swale will be 3' to 5' deep. Mrs. Daigler asks who will mow the lawn on the swale; Mr. Rumsey said the owner of the property will maintain the property. Mrs. Daigler would rather see the detention system underground.

Patricia Powers points out that there is a 45' setback from Mrs. Daigler's property; this is where the detention pond will be.

Frank Raquet, of 8035 Clarence Center Road, is also concerned with the retention pond. As the area is being built up, the water is being forced into a funnel, which is this parcel of land and it has always been wet. Mr. Raquet said the Planning Board needs to take into consideration that the corner of Clarence Center Road and Transit Road will be developed in the future. He suggests a connection to the storm sewers on Transit Road. Wendy Salvati explains that the detention pond does connect to the storm sewers on Transit Road. Mr. Raquet has experienced more and more water problems over the past few years with the build up on Transit Road, this project will only exasperate the problem, not relieve it; it needs more engineering.

Mr. Palumbo said a more detailed study will be done.

Gerry Haas, of Clarence Center Road, explains that behind the NOCO station on Transit Road is a parcel of land that had two 18" pipes put in, they are 30' long, this takes the water back out to Transit Road.

ACTION:

Motion by Gerald Drinkard, seconded by Patricia Powers, to **refer** agenda item #3 to the TEQR Committee and the Fire Advisory Board.

ON THE QUESTION:

The TEQR Committee should look closely at the traffic and drainage issues on and off the site. The applicant needs to submit a lighting plan prior to attending the TEQR Committee meeting.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

Mr. Palumbo asks for clarification regarding the Concept Approval. He is advised that a project does not get Concept Approval until the project comes back from the TEQR Committee. He does not agree with this and goes on to say that the SEQRA process should not be done at Concept Plan. Mr. Callahan asks how the Board can approve a Concept Plan if they do not know the environmental impacts of the proposal. Wendy Salvati said she agrees with Mr. Palumbo. Councilman Bylewski suggests the Planning Board make the recommendation to refer the project to the TEQR Committee and if Mr. Palumbo has issues beyond the referral they can be addressed at a later date.

Item 4

Dr. Altman
Restricted Business

Requests Concept Plan Approval for a 4,728 square foot Medical Office Building at 8421 Sheridan Drive.

DISCUSSION:

Jim Callahan provides the background on the project. It is located on the south side of Sheridan Drive, west of Harris Hill Road and consists of approximately 1.4 acres. It is zoned Restricted Business along the frontage. The proposed office building was introduced to the Town Board on February 14, 2007; it was then referred to the Planning Board

Phil Silvestri, of Silvestri Architects, is present along with Dr. Altman and Mary Powell, from Casilio Companies. Mr. Silvestri explains that the site plan the Planning Board is currently viewing has been updated because of the Town Board's concern regarding the proposed garage. The applicant would have needed to go before the Zoning Board of Appeals to go ahead with the previous plan; however, the applicant took the advice of the Town Board and removed the garage off the side yard. The garage has been brought into the building design; there is no longer a need for a side yard variance. The building now meets all Zoning requirements. The applicant will go before the Zoning Board of Appeals for a variance on a side yard setback for parking. There is an existing house on the property that is fire damaged and will be demolished. The applicant will leave as many trees as possible at the site. The parking lot will have lighting with shielded lights; the building will not be used at night. Dr. Altman does not see the use of the building past 6:00 p.m., the lights can be put on a timer and lighting for security purposes would be used. There are wallpack units on the building and this would be the only light on the building once the Dr. leaves for the evening. The septic system is proposed in the front of the building. There is no parking in the front; it is in the back of the building. It is a wood frame constructed building, residential construction, brick veneer, pitched roof of asphalt shingles, brick all the way around. There will be a security system so there is no need to keep all the lights on all night. This is a dermatologist practice. The building will not be sprinklered.

Duane Pieri, of 8431 Sheridan Drive, states that his survey shows the trees at the property line are actually on his property, however this may not be 100% accurate information. He asks if the applicant is sure that the trees are on the applicant's property, the applicant is not sure. Mr. Pieri asks for confirmation with regards to the trees and if they are on his property they will remain, the Planning

Board confirms this is true. There is an orange stake in the property directly behind 8431 Sheridan Drive, but it is unknown as to why the stake is there. Mr. Pieri voiced his concern in making sure the lighting is appropriate. He is also concerned with disposal but is advised that a fence enclosure will surround the dumpster and will be located at the back of the property. Mr. Pieri asks if there will be a buffer between 8431 Sheridan Drive and 8421 Sheridan Drive to bring the site line down for the parking. Mr. Silvestri said there are islands with trees on the proposal to act as screening, the existing trees will remain to act as a buffer for the driveway. Wendy Salvati suggests installing a fence in this area, Mr. Silvestri said once the tree survey is completed they will see if a fence is feasible. An updates tree survey is required by the Planning Board. Mr. Van Nest points out that the line of site is critical when entering and exiting the site.

ACTION:

Motion by Wendy Salvati, seconded by Jeffery Grenzebach, to **table** agenda item #4.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

Patricia Powers reminds the applicant to have any updated plans to the Planning Board at least one week in advance of a meeting; this allows time for review by the members of the Board.

Item 5

Love Your Dog Traditional Neighborhood	Requests a recommendation for a Temporary Conditional Permit at 6989 Transit Road.
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DISCUSSION:

Jim Callahan provides the history on the project. It is located on the east side of Transit Road, north of Stahley Road. It is an existing dog grooming facility located in the Swormville Traditional Neighborhood District (TND). The applicant is proposing to develop an overnight boarding facility as part of the overall operation. The project was referred from the Town Board to the Planning Board to recommend conditions on the proposed Temporary Conditional Permit (TCP).

James Boy, of Roberts, Shackleton & Boy, is the architect for the applicant. He explains that the dogs would be housed in the new building in the back of the property. It is approximately a 5,000 square foot facility; the kennels would take up about 3,000 square feet. The new building will be located were the three (3) buildings to the rear of the property are, these three (3) buildings will be taken down.

Councilman Bylewski explains that the Town Board members felt that more work was needed with regards to the conditions, such as hours of operation, number of dogs, etc., and the Planning Board was best body to obtain this information.

Janice Jabcuga, applicant, just wants to know if the Board will allow her to do this. She goes on to explain that she can proceed in a number of ways; she can either use one of the existing back buildings or build a new one. Ms. Jabcuga said if the operation is approved and it is an overnight

kennel, someone would be on the property 24 hours a day. She has been at this location for 10 years and has never had any complaints. There are between 50-70 dogs a day at the current facility. There is an outdoor fenced yard. If the TCP is approved she would start with about 38-40 dogs for the overnight facility. There would be stockade fencing around the property. The concept of this kennel is stress-free boarding; this will reduce the barking. The staff members will conduct activities with the dogs. Ms. Jabcuga does not own the property but she will buy it if she gets approval for the operation. David Donohue asks if the applicant receives approval for this operation would she start boarding before the building is built. The applicant would not. If she does not receive approval, she will not buy the property and will not pursue this plan. There are privately owned homes around the site.

Mr. Donohue refers to another dog kennel in the Town and wonders if the Planning Board should review the conditions set forth on that kennel; this may help with this request.

In response to Mr. Drinkard’s question regarding the disposal of waste, Ms. Jabcuga explains that the waste is double bagged and put in the dumpster that is at the site.

The neighbors were not yet notified.

Mr. Van Nest understands the applicant is going to strive for a stress-free environment and suggests looking at sound proofing the overnight quarters.

Ms. Jabcuga is not looking to operate a large boarding kennel; the building will accommodate 38-40 dogs, no more.

Mark Spoth, owner of the property, explains that he was reluctant to rent to Ms. Jabcuga due to the nature of her business; however, he is impressed with the operation and has had no problems.

ACTION:

Motion by Jeffrey Grenzebach, seconded by Richard Bigler, to **table** agenda item #5 to allow time for neighbor notifications to be mailed.

ON THE QUESTION:

Gerald Drinkard asks if the neighbors must be notified prior to moving forward on the proposal. It is said that the neighbors must be notified in order to have an opportunity to speak at a meeting. Notices will be sent to the owners of the properties within 500 feet of the project site.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

Item 6

Uncle Bob’s Self Storage
Commercial

Requests Concept Plan Approval for a new
storage building at 8175 Main Street.

DISCUSSION:

Jim Callahan provides the history of the project. The property is located on the south side of Main Street, east of Transit Road in the Commercial Zone. It is an existing self storage facility, proposing the demolition of two (2) residential structures and the expansion of the existing facility. The project was referred by the Town Board on February 14, 2007.

Don Swanson, from APEX Consulting, is representing the applicant. The proposal is for a two-story climate controlled self-storage building. There would be no access to this site from the Main Street driveway; access to this facility would be through Uncle Bob's current entrance. A portion of the existing building will be removed to accommodate the back portion of the newly constructed building. The service drive leading up to Transit Road would be an exit only with a gate closer to the proposed building; it would be one-way traffic only.

Wendy Salvati suggests the applicant submit a site plan that shows the entire site.

Mr. Swanson believes the building material is corrugated steel and guesses the height of the building is 22'-24' plus the tower, which is still below the maximum height allowed per the Town's code. Wendy Salvati asks for an elevation plan to be submitted, Mr. Swanson agrees. He confirms that there are two levels of storage inside the tower.

Mr. Drinkard advises no signs can be on the proposed building, Mr. Swanson understands.

Mr. Grenzebach wonders if the proposed building will mirror the back building, which is temperature controlled, Mr. Swanson is unfamiliar with the back building. The material on the tower will be Drivit.

Wendy Salvati asks what the vegetation at the site consists of. Mr. Swanson said there is some scrub and some damaged trees at the northern portion of the site. He explains that there is a 5' easement along the front, north property line; he has shown some proposed trees along the easterly side of the building on the concept plan and some shrubs to the east and west side of the parking spaces north of the building. After last month's Town Board meeting, Mr. Swanson spoke with the gentleman who owns the property and in talking about the easement he denied any problems with the applicant putting any landscaping in that area.

Wendy Salvati advised Mr. Swanson that an Environmental Assessment Form (EAF), short form, is required.

Richard Bigler asks if there will only be man doors on the proposed building, Mr. Swanson said that is correct.

Mr. Swanson believes an elevator is used to access the second story. It is clarified that there are two (2) floors as opposed to two (2) stories. The tower is a false façade to dress-up that side of the building, the inside is the normal storage space.

There is discussion as to whether or not there is a sidewalk at the site. Mr. Swanson said he sent several files via e-mail to the Town; those files would show if there is a sidewalk at the site.

ACTION:

Motion by Richard Bigler, seconded by George Van Nest, to **table** agenda item #6 to allow the applicant to provide the EAF, Short Form and a site plan reflecting the entire site.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
George Van Nest	Aye	Richard Bigler	Aye

MOTION CARRIED.

Councilman Bylewski explains that the request for attendance at upcoming seminars is subject to the budget and he awaits information from Chairperson Powers as to how many Planning Board members are requesting attendance, specifically the Saratoga Springs Seminar in October 2007.

Councilman Bylewski points out that Clarence is one of the few municipalities that actually have a separate Environmental Review Board and a multi-step review process. He references the SEQR Law section 617.1 and 617.2 which says the basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional and local government agencies **at the earliest possible time**. He then references section 617.6 which says the initial review of the actions should occur as early as possible in the agencies formulation of an action it proposes to undertake as soon as an agency receives an application for funding or for **approval of an action**, which is what Concept Plan would be. The definition of "action" in this law includes projects or physical activities...that require one or more new or modified approvals from an agency or agencies.

Further discussion ensued regarding the SEQRA Law.

It is announced that there will be a meeting on March 19, 2007 at 6:00 p.m., prior to the TEQR Committee meeting. Town Engineer, Joe Latona and Town Attorney, Steve Bengart will provide a presentation on Storm Water issues.

The Town Board is working on a resolution with regards to the New State Mandated Land Use Training.

Meeting adjourned at 9:48 p.m.

Patricia Powers, Chairperson