

Town of Clarence  
Planning Board Minutes  
Wednesday June 17, 2009

**Work Session 7:00 pm**

Roll Call  
Update on Pending Items  
Zoning Reports  
Committee Reports  
Miscellaneous

**Agenda Items 7:30 pm**

**Approval of Minutes**

**Item 1**

Eastern Hills Wesleyan Church  
Residential Single-Family

Requests Preliminary Concept Review of a proposed building for a Christian Counseling Center located on the south side of Greiner Road, west of Harris Hill Road.

**Item 2**

Patrick Development/Metzger Civil Engineering  
Residential Single-Family

Requests Preliminary Concept Review of a proposed 4-Lot Open Development Area on Roll Road west of Shimerville Road.

Chairman Gerald Drinkard called the meeting to order at 7:30 p.m. Councilman Peter DiCostanzo led the pledge to the flag.

Planning Board Members Present:

Chairman Gerald Drinkard  
2<sup>nd</sup> Vice Chairman Wendy Salvati  
Richard Bigler

1<sup>st</sup> Vice Chairman Albert Schultz  
Timothy Pazda  
Gregory Todaro

Planning Board Members Absent:

Jeffrey Grenzebach

George Van Nest

Other Town Officials Present:

Director of Community Development James Callahan  
Planner Brad Packard  
Councilman Peter DiCostanzo  
Deputy Town Attorney David Donohue

Other Interested Parties Present:

M. Giordano

Kevin Curry

In the absence of Planning Board members Jeffrey Grenzebach and George Van Nest, alternate Planning Board member Gregory Todaro will be participating in all discussions and voting on all agenda items.

Motion by Al Schultz, seconded by Gregory Todaro, to **approve** the minutes of the meeting held on June 3, 2009, as written.

Gregory Todaro	Aye	Richard Bigler	Aye
Timothy Pazda	Aye	Wendy Salvati	Abstain
Al Schultz	Aye	Gerald Drinkard	Aye

**MOTION CARRIED.**

Chairman Drinkard explains that the Planning Board is a recommending body that may vote to refer agenda items to other committees such as the TEQR Committee, Fire Advisory and Traffic Safety for their study and comment. The Planning Board may vote to recommend an action to the Town Board with conditions. The Town Board is the governing body and as such will have the final vote on all items. The procedure for agenda items starts with Jim Callahan introducing and providing a brief history of the item. The applicant will then have the opportunity to speak on the project. The Planning Board members will then have an opportunity to ask questions. The public will be offered the opportunity to speak on the subject; all commentary will be addressed to the Planning Board and will be limited to three (3) minutes. The applicant will then have the opportunity to respond to the public comment. A motion will be called for with a roll call vote.

**Item 1**

Eastern Hills Wesleyan Church  
Residential Single-Family

Requests Preliminary Concept Review of a proposed building for a Christian Counseling Center located on the south side of Greiner Road, west of Harris Hill Road.

**DISCUSSION:**

Jim Callahan explains the property as being located on the campus of the Eastern Hills Wesleyan Church on the south side of Greiner Road, west of Harris Hill Road. The applicant is proposing to construct a new structure to house a Christian Counseling Center and was referred from the Town Board on May 27, 2009.

Tommaso Briatico, architect for the corporation, is present and introduces Dr. Chambers, the Chairperson and Executive Director, and Mr. Campbell who is on the Board to build the structure. Mr. Briatico explains the proposal as a one (1) story building that will blend with the original campus. Building materials include masonry and an architectural asphalt roof; the colors will be blended with the main building. The site is approximately an acres and a half. Mr. Briatico explains the proposed parking will consist of eight (8) spaces; they may need ten (10) because of the way the building functions. They do not have to disturb any trees, they will add some plantings.

Chairman Drinkard asked if the basement will be finished and if it is included in the 2,400 square footage on the proposal. Mr. Briatico said the basement is not included in the 2,400 square feet; it will be finished sometime in the future. The finished basement is not part of the first phase.

Dr. Chambers notes there is letter dated June 16, 2009 from Pastor Eastlack explaining the relationship they have had with Christian Counseling Ministries of WNY (CCM) for the past 22 years. The letter is on file. CCM has operated in Clarence for the past 12 years. The property in question will be leased to the CCM for \$1.00 a year for 50 years. CCM is a non-profit organization however they do charge fees. The fees are charged on a sliding scale; family size and income level are taken into consideration and that determines the fee. From a business perspective they lose money on 2 out of 3 people who obtain services from the counseling center. There are a number of churches and organizations that support the counseling center. Dr. Chambers works with over 120 churches in the WNY area. Their main office is in West Seneca NY at the Houghton College Campus; however Houghton College is selling the West Seneca Campus. There is also an office at the Eastern Hills Wesleyan Burdick Campus, but that is being sold as well. The counseling is a public service. The land will be owned by the Wesleyan Church, the building will be owned by the counseling center.

Chairman Drinkard said the less parking spaces the better. Mr. Briatico said parking can be costly and if they can get down to eight (8) spaces they will; one (1) handicap space is included. The original plan showed 26 parking spaces; Mr. Briatico said they are definitely not doing 26 spaces.

Wendy Salvati points out that typically the drive out in a parking lot is wider than 20', Mr. Briatico said it is usually 24' and he will use that measurement in his proposal.

Gregory Todaro asked if the leased land will fall under "religious use". Mr. Campbell said the lease contract restricts the usage to a ministry, so there is no option to put a non-ministry use in the building.

Chairman Drinkard refers to the preliminary Landscape Plan and said it needs a schedule; Mr. Briatico will put a schedule on the print.

Wendy Salvati notes that a Short Form EAF would be acceptable on this project.

Al Schultz clarified that, per the Code, Community Facilities are allowed in the Residential Single-Family Zone.

Jim Callahan explained that the Short Form EAF identified the land as previously disturbed and there would be no significant impact associated with the project. The proposal is an acceptable lot as part of the church campus therefore it has public road frontage.

#### **ACTION:**

Motion by Wendy Salvati, seconded by Al Schultz, to **accept** the Short Form EAF and **recommend** the Town Board issue a Negative Declaration.

#### **ON THE QUESTION:**

Mr. Schultz asked if there were any adverse environmental impacts discovered in the EAF; Mr. Callahan said there were not.

Prints of the proposal will come after Concept Plan approval.

Gregory Todaro	Aye	Richard Bigler	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye
Al Schultz	Aye	Gerald Drinkard	Aye

MOTION CARRIED.

**ACTION:**

Motion by Wendy Salvati, seconded by Al Schultz, to **recommend** Concept Approval for a proposed building for a Christian Counseling Center at 8445 Greiner Road.

**ON THE QUESTION:**

Chairman Drinkard said the approval is subject to payment of the appropriate fees as determined by the Town Board.

Wendy Salvati said the parking area must be redesigned to show the drive isles as 24' and reduce the parking spaces as much as possible.

Gregory Todaro	Aye	Richard Bigler	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye
Al Schultz	Aye	Gerald Drinkard	Aye

MOTION CARRIED.

**Item 2**

Patrick Development/Metzger Civil Engineering  
Residential Single-Family

Requests Preliminary Concept Review of a proposed 4-Lot Open Development Area on Roll Road west of Shimerville Road.

**DISCUSSION:**

Chairman Drinkard recuses himself from discussion and voting on this agenda item as his daughter owns property that butts up to this land. First Vice-Chairman Al Schultz will preside over the meeting.

Jim Callahan provides the background on the project. The property is located on the south side of Roll Road, west of Shimerville Road and consists of 8.37+/- acres. The application was tabled at the December 10, 2008 meeting pending submittal of a final design.

Mr. Schultz reads the action from the December 10, 2008 Planning Board meeting minutes: Table the project to allow the applicant the opportunity to submit the proposal he favors. The Planning Board will review the project and the measurements and subsequently make a recommendation.

Kevin Curry was present and notes that he has submitted the plan he prefers, which is the plan labeled CP-4.

There are wetlands in the area but the Planning Board does not know how it will impact the available space. An Environmental Assessment will need to be completed.

Mr. Schultz has one problem with this design; a 4-lot Open Development is what was referred from the Town Board, the project currently before the Planning Board is a 3-lot Open Development with an Exception Lot. Mr. Schultz' tendency is for the other plan for the next phase of review, at least to find out how much land the Board is working with.

Mr. Curry said the CP-4 plan works with the topography. He prefers to back to the Town Board first as opposed to other Boards. Mr. Schultz explains that the SEQRA review might affect the number of lots and the lot layout, whereas the number or lot layout will not affect the SEQRA review.

Mr. Bigler is ready to move on and forward Mr. Curry's preferred plan to the TEQR Committee. Mr. Pazda prefers the other plan but not for good enough reasons not to act on this plan.

Maryann Giordano asked what the cost of each home would be. Mr. Curry said it would depend on the market at the time.

**ACTION:**

Motion by Richard Bigler, seconded by Wendy Salvati, to **refer** Agenda Item #2, proposal number three (3), plan CP-4, to the TEQR Committee for review.

**ON THE QUESTION:**

Mr. Schultz suggests the TEQR Committee pay special attention to the Wetlands, the Wetland Delineation and the drainage ditch that runs diagonally through the property.

Gregory Todaro	Aye	Richard Bigler	Aye
Timothy Pazda	Aye	Wendy Salvati	Aye
Al Schultz	Aye	Gerald Drinkard	Recuse

MOTION CARRIED.

Meeting adjourned at 8:10 p.m.

Carolyn Delgato  
Senior Clerk Typist