

PLANNING BOARD MINUTES

Wednesday October 1, 2003

WORK SESSION 6:30 P.M.

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

AGENDA 7:30 P.M.

ITEM I

Gary Sheldon  
Commercial

REQUESTS DRIVE-UP DOOR AT EXISTING DRY  
CLEANERS IN TRANSITOWN PLAZA.

ITEM II

David Glian  
Commercial

REQUESTS DEVELOPMENT PLAN APPROVAL FOR  
10070 & 10080 MAIN STREET FOR CHANGE IN USE.

ITEM III

William Kenyon  
Commercial

REQUESTS CONCEPT PLAN APPROVAL FOR  
CONSTRUCTION OF A NEW CONVENIENCE STORE/  
GAS FILLING STATION AT 5820 GOODRICH ROAD.

ATTENDING: Joseph Floss  
Christine Schneegold  
Reas Graber  
Roy McCready  
Patricia Powers  
Frank Raquet  
Henry Bourg

INTERESTED PERSONS:

Councilman Scott Bylewski	James B. Callahan
Dennis James	James D. Hartz
Jim Fregeau	Kathryn S. Tiffany
Tim Smith	
Bill Kenyon	
Bonnie McAfee	
Vanessa Zinaty	
Stanton Broderick	
Linda Broderick	
Patricia Will	
Jim Blum	
Timothy Arlington	
Robert Schroeder	
Ray & Arlene Seitz	
Linda Nastasi	
Andrea Herberger	
Mike Dunn	
Gary Sheldon	
Rosemary Sheldon	
Henry Becker	
Donna Wanamaker	
John Skop	
Paul Herendeen	
Jim Romanowski	
Tressa Romanowski	
Kathy Chubb	
Patty Hughes	
Lisa & Steve Rott	
Denise Fregeau	
Liz Myszka	

MINUTES

Motion by Christine Schneegold, seconded by Henry Bourg to approve the minutes of the meeting held on September 17, 2003 with the adendum 270 to 270 et seq on page 255.

ALL VOTING AYE. MOTION CARRIED.

Page 2003-256

ITEM I  
Gary Sheldon  
Commercial

REQUESTS DRIVE-UP DOOR AT EXISTING DRY  
CLEANERS IN TRANSITOWN PLAZA.

DISCUSSION:

Jim Callahan gave a brief description of the request. It is located on the south side of Main Street (east corner) and is zoned Commercial. It was referred to the Planning Board by the Town Board on September 10, 2003. Gary and Rosemary Sheldon are interested in a drive thru service for their third location in Clarence. There is approximately nineteen feet from the front of the building to the two striped lanes going behind the plaza. They would install a door with a canopy on the east side of the building where customers would pull up, and the clerk at the door would pick up the order of clothes to be cleaned, as well as place the clean articles in the car, allowing the customer to stay in the vehicle. Customers would approach from Main Street and exit behind the plaza. At the present time, they have a drive thru at the two other locations, this would be the third location. Christine Schneegold said if customers are going south, their passenger side would be toward the drive-thru - is that correct? Christine asked if they would be installing a raised median between the driving lane and your drive up lane? Mr. Sheldon said they had not anticipated doing that. Henry Bourg asked how they were going to keep people from making a U turn and going right back out to Main Street? That seems like a safety hazard, because people aren't going to want to drive all the way through the plaza. It is a busy area, and it is a concern. Mr. Sheldon said it is not that busy, he has spent a lot of time there. Frank Raquet said it is a blind intersection, and cars come whipping around there. Will there be any signs on the side and front of the building to control traffic? Mr. Sheldon said they would be willing to put appropriate signs up. Frank asked if they had considered putting the drive up door on the back side of the building. Mr. Sheldon said the side is the optimal location for servicing both the walk in and drive thru customers, given the layout of the building. The awning will come out about five feet, and the underside height will be about nine feet. Pat Powers said her number one priority is safety. Pat asked if they have had any accidents at their other facilities. No, they have not had any accidents. Pat didn't believe that people would

go all the way through the plaza after they use the drive thru window, they will take the shortest route possible. Pat said it is an accident waiting to happen. Chairman Floss asked Mr. Sheldon if there is always a clerk at the door, or would customers have to beep their horn? Mr. Sheldon said there is always a clerk at the door. Chairman Floss suggested a few options. One is to table this item and take a look at the other two locations. And then have you come in on a Tuesday morning and meet with the Executive Committee. The other locations are 6429 Transit Road, and 10611 Main Street. Both locations load and unload from the drivers side. Henry Bourg said he could not approve this without controls for the traffic, and it needs more thought. Roy McCready suggesting curbing it to make it safer.

ACTION:

Motion by Henry Bourg, seconded by Patricia Powers to table this item, and meet with the applicant on Tuesday October 7, 2003 at nine o'clock.

ALL VOTING AYE. MOTION CARRIED.

Chairman Floss apologized for forgetting to ask the audience if they had any comments or questions regarding the project.

John Skop said he didn't come for this item, but he did have some comments. A drive thru is not for all customers that is for sure, but I can imagine a young Mother with small children in the car. It would be easier and safer for her to drive thru, than take the children out of the car into the cleaners.

ITEM II  
David Glian  
Commercial

REQUESTS DEVELOPMENT PLAN APPROVAL FOR  
10070 & 10080 MAIN STREET FOR CHANGE IN USE.

DISCUSSION:

Jim Callahan gave a brief history of the project. It is located on the north side of Main Street on the west side of Pineledge Drive. It is zoned Commercial, and the Master Plan recommends it remain in a Commercial classification. This project was initially introduced to the Town Board in October of 2002, and referred to the Planning Board for recommendation. A negative declaration was issued by the

Town Board in December 2002. The change in use was approved on December 18, 2002 by the Town Board for the property at 10070 Main Street, and further review on 10080 resulted in a concept plan approval on February 5, 2003. As parking areas are part of the proposed change in use, a development plan approval is required, and that is what they are requesting tonight. They do have Engineering approval as far as the parking lot design, as well as landscaping approval as part of the project. Paul Herendeen, is the architect for David Glian. Pat Powers asked Mr. Herendeen if Mr. Glian intends to finish the landscaping this fall? Mr. Herendeen said "Yes he does."

**ACTION:**

Motion by Patricia Powers, seconded by Roy McCready to recommend development plan approval for 10080 and 10070 Main Street for change in use with the following conditions:

1. There will be no on street parking on Pineledge Drive.
2. Engineering approval conditions from letter dated 8-5-2003.

**ITEM III**  
William Kenyon  
Commercial

**REQUESTS CONCEPT PLAN APPROVAL FOR  
CONSTRUCTION OF A NEW CONVENIENCE /  
GAS FILLING STATION AT 5820 GOODRICH ROAD.**

**DISCUSSION:**

Jim Callahan gave a brief description of the project. The property is located on the west side of Goodrich Road north of the Bonnie Fay entrance to Martha's Vineyard subdivision. The property is currently zoned Commercial. The gasoline service station under the Commercial zoning will require a Special Exception Use permit under the current zoning law. The Master plan does identify this area in a traditional neighborhood district, allowing for service type businesses in keeping with the traditional neighborhood character of the hamlet. The proposed project was introduced to the Town Board on September 24, 2003 and referred to the Planning Board to initiate the review process. This meeting represents the initial introduction to the Planning Board. Tim Arlington of Apex Consulting introduced Bill Kenyon. Kenyon brothers have six other locations. This project entails removing the existing building, and replacing it with a new historical character type of building. The building will be moved back further, it will be smaller than the existing building.

There will be 16 parking spaces along the front of the new building. They will be taking down the existing canopy, and moving it back for safety reasons. The canopy will have three main pump islands which can service six customers at a time. There will be a green area with some picnic tables on the south side. There is limited indoor seating. The dumpsters will be screened properly and will have additional landscaping. They are going to retain the existing curb cut on the south side of the property, and one curb cut on the north side. There is an existing fence on the west line of the property that was put in as part of the subdivision. There is a landscaping berm along that particular side. Most of that berm is on the residential property. Chairman Floss told the applicant this is the first time the Planning Board has reviewed the project, and the initial layout and site plan isn't particularly appealing to us.

We will tell you that the reduction of one curb cut on Goodrich Road is appealing, the rehabilitation of what is an eyesore is appealing, the thought of perhaps enclosing the deplorable dumpster situation is appealing. This planning board fully intends to preserve and enhance the Clarence Center Community character through appropriate architecture and landscape, street scapes, pedestrian enhancements, rear buffering etc. I think the gas farm is a little large as well. The big concern is a letter from a Ralph Fudoli and Madeline Fudoli dated Tuesday September 30, 2003 and hand delivered to the Planning / Zoning office at three o'clock this afternoon. For the record it says:

To Whom it may concern:

This letter is in regards to a notice I received about the planning board meeting scheduled for Wednesday October 1, 2003. The sale of the property located at 5820 Goodrich Road has not gone through as of this date. Therefore I would please ask of you to hold off on accepting any plans brought to you to re-zone this property, as it is still in my ownership. Please call the above number if you have any questions. Sincerely,

Madeline Fudoli

Chairman Floss said this board is not prepared - even if this letter weren't here, the best we would do tonight is to refer you out to collect additional data, and maybe review the site plan again. Mr. Arlington said Mr. Kenyon may be able to answer some questions about where they are regarding the purchasing of the property. We do know Mr.

Fudoli owns the property. The purchase is contingent on getting the approvals. We know we are going to have to address your questions and concerns about the traditional neighborhood district. I would like to get the comments tonight, and come back to your work session, and come back to the next planning board meeting with plans that are conducive to what you are looking for. Chairman Floss said he has some concerns in regards to the ownership. Henry Bourg didn't think the Planning Board should get in the middle of this until the ownership is resolved. Christine Schneegold asked how far away from the rear lot line the new building will be. It will be 25 feet away, which is the same distance as the existing building. How far is the distance from the front of the building to the gas pumps? It is 67 feet from the front of the building to the face of the canopy. The new building will sit back approximately fifty feet further than the existing building. This store will have a three pump island allowing six customers to fuel at the same time. It will have a 26 foot canopy. They will not require any additional underground tanks. There will be an air pump, it is required by law. Frank said he thought the vacuum area should have an enclosure to contain the noise. Reas Graber said he is very concerned about the aesthetics of the architecture in Clarence Center. Have they ever considered putting the gas pumps behind the building? That wouldn't work from a marketing point of view. Pat Powers said she had concerns about the dumpsters in the back and the noise of the vacuums. It is a residential area on all four sides. They can move the dumpsters forward. Pat asked if they planned to do a berm in the back. Tim Arlington said there is a berm there now, and two berms adjacent to each other probably won't work from a drainage standpoint. They plan on putting landscaping in. The exterior of the building will be either be architectural split faced block or brick - probably brick. Chairman Floss suggested integrating the canopy right into the roof like they did in East Fishkill New York. At this point the meeting was open to the public to comment. The process for approving projects was reviewed for the audience so they could better understand how it all works. The concerns that were raised were the following:

1. That it will become a teenage hangout.
2. Too many gas pumps, fumes, danger of fire, more traffic.
3. Safety of pedestrians walking past the mini mart.

4. Outdoor lighting also outdoor dining and resulting debris.
5. Noise from vacuums.
6. Providing landscaping for a barrier to surrounding homes.
7. Snow removal so residents won't have to walk in the street.
8. Maintenance of the property and dumpsters.
9. Architecture of building, in keeping with the character of Clarence Center community
10. Amount of green space on parcel.
11. Condition of parking lot, possibility of a sidewalk.

Tim Arlington said the vacuums can be eliminated, however, gasoline stations must offer air to customers. He also said the picnic tables are not that important to the plan, they were included as an amenity.

**ACTION:**

Motion by Patricia Powers, seconded by Roy McCready to table this item. The applicant will meet with the Planning Board Executive Committee on Tuesday October 7, 2003.

**ALL VOTING AYE. MOTION CARRIED.**

Motion by Frank Raquet, seconded by Reas Graber to adjourn the meeting.

Meeting adjourned at 9:15 p.m.  
Joseph Floss, Chairman