

Town of Clarence
Planning Board Minutes
Wednesday October 17, 2007

Work Session 6:30 pm

Roll Call
Minutes

Update on Pending Items
Committee Reports

Zoning Reports
Miscellaneous

Agenda Items 7:30 pm

Item 1

North Forest Office Providers
Major Arterial

Requests Preliminary Concept Plan Review for a proposed office park located at 6041 Transit Road (formerly City Fence).

Item 2

Eric Ogren
Major Arterial

Requests Concept/Development Plan approval for a proposed Change-In-Use at 6051 Transit Road (formerly Beauty Pools).

Item 3

Ranchview, LLC/John & Joe Rubino
Residential Single-Family

Requests Preliminary Concept Plan Review of a proposed 44-lot Open Space Design Development on approximately 28.3 acres at the southwest corner of Clarence Center Road and Shimerville Road.

Item 4

Essex Homes
Residential Single-Family

Requests Preliminary Concept Plan Review of a proposed 55-lot Open Space Design Development on approximately 66 acres north of 6440 Goodrich Road.

Item 5

Dunkin' Donuts
Commercial

Requests Amended Concept Plan approval for a new restaurant/drive-thru at 9430 Main Street.

Item 6

Sign Applications Review

Discussion.

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

Planning Board Members Present:

Chairperson Patricia Powers	1 st Vice Chairperson Wendy Salvati
2 nd Vice Chairperson Gerald Drinkard	Jeffrey Grenzebach
Timothy Pazda	Richard Bigler
Albert Schultz	

Planning Board Members Absent:

George Van Nest

Other Town Officials Present:

Director of Community Development James Callahan
Deputy Town Attorney David Donohue

Other Interested Parties Present:

Jerry Haas	Harry Lipka
Lori Lipka	Roy Jordan
Dan Cariglia	Randall Dipert
Eric Ogren	Tom Ngnya
Theresa Ngnya	Arlene Boardway
Judith Husband	Brian Intihar
Becky	Tom Hawifin
Bill Kicman	David Huck

Patricia Powers announces that, in the absence of George Van Nest, Albert Schultz will be participated in all discussions and voting on all agenda items.

Agenda Item # 3 has been moved to the end of the agenda at the request of the applicant's attorney.

Motion by Gerald Drinkard, seconded by Timothy Pazda, to **approve** the minutes of the meeting held on October 3, 2007, as written.

Patricia Powers	Abstain	Wendy Salvati	Has not arrived yet
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
Timothy Pazda	Aye	Richard Bigler	Aye
Albert Schultz	Aye		

MOTION CARRIED.

Item 1

North Forest Office Providers
Major Arterial

Requests Preliminary Concept Plan Review for a proposed office park located at 6041 Transit Road (formerly City Fence).

DISCUSSION:

Jim Callahan provides the history on the project. It is located on the east side of Transit Road, north of Clarence Center Road. It is located in the Major Arterial Zone along the frontage back approximately 650' and is zoned Residential to the rear. The applicant is proposing an office park in the Major Arterial Zone.

Roy Jordan is representing North Forest Development. Mr. Jordan explains that the plan in front of the Board this evening is what they are proposing, however, under SEQRA it is required that the applicant disclose the whole plan, so segmentation can be avoided. The applicant is hopeful that the rezoning of the Town will allow them to extend the park further into the Residential Zoned part of the land. He would like to start moving through the SEQRA process, he understands that there will be many involved agencies.

Wendy Salvati voices her concern stating that the Planning Board is looking at one plan, yet there will be a different plan provided to the TEQR Committee, so they can review the full build-out. She is struggling with the Planning Board reviewing only a portion of the plan. Mr. Jordan said he can show the Board the other plan. Ms. Salvati points out that currently the Master Plan does not allow anything but residential use behind what the applicant is showing on the site plan, in order to do what Mr. Jordan plans, the Master Plan would have to be amended.

Mr. Jordan said if they first went for the rezoning and were successful, then go through the Environmental Review Process and find various issues, then they've spent a lot of time on the rezoning and may not be able to get through the environmental and neighborhood issues. They thought it would be easier to first look at all the environmental and neighborhood issues and if they can not be resolved then there is no use in going for the rezoning. The applicant is willing to take the financial risk to pay for all the studies up front, before the rezoning and if it does not work out then it is the applicant's loss. He is not asking the Board to approve anything; he is asking that they send the project on to be reviewed by all appropriate agencies. If there are too many reviews that do not work out, the applicant would cancel the project.

Albert Schultz explains that the Planning Board takes its direction from the Town Board and the Town Board asked the Planning Board for Preliminary Concept Review on the first Phase. Mr. Schultz asked if the applicant received approval on the first Phase, would he build it without the rezoning, without the approval of the second Phase? Mr. Jordan said he can not directly answer the question. He explains that they would build it if the individual that they are buying the land from knew that the land was not going to be rezoned and reduced his price. He would not build it if he had to pay the price for the whole back end of the property.

Timothy Pazda commends Mr. Jordan on his honesty with regards to the SEQRA requirement of disclosing the whole plan.

Chairperson Powers explains that when a proposal is on the agenda for Preliminary Concept Review the applicant presents the project, the Planning Board asks questions and voices concerns; the public is also allowed to comment. The project is tabled to allow the applicant to digest the comments and concerns voiced at the meeting and then come back before the Planning Board to address the issues for Concept Plan Approval. The project would be referred to the appropriate committees prior to Concept Plan Approval.

Ms. Salvati asked why, if the applicant knows there are environmental studies needed, wouldn't the applicant first do the studies and then figure out how to lay out the site plan, then come back to the Board with the plan and send it through full review. Mr. Jordan said they are doing the studies that they know are needed, however, without the Town sending out to State, County and Federal agencies there could be other studies that are needed that the applicant is unaware of at this time. He asked if the paperwork could be sent to the other agencies now.

Wendy Salvati explains that the rezoning would not even be discussed until after the Town Board holds a Master Plan amendment meeting at the end of January 2008.

Ms. Salvati tells the applicant the government agencies he needs to deal with are the DEC or the Army Corp of Engineers with regards to delineation, and the DOT with regards to traffic.

Albert Schultz clarifies what the applicant previously said: if the back of the property is never rezoned, if it stays residential, then the project, as currently envisioned, is a "no go", unless the applicant obtains a significant price reduction on the property. Mr. Jordan said this is correct. Mr. Schultz said this sounds different than what Mr. Jordan said to the Town Board. The Town Board asked will the project stand alone, Mr. Schultz thinks Mr. Jordan replied, "Yes." Mr. Jordan explains that the Town Board asked if the project can be done by itself without needing anything else, Mr. Jordan said yes it can. So the Town Board referred just this project on to the Planning Board.

Gerald Drinkard points out that when a project is sent to the TEQR committee, they look for input on the whole project. Jim Callahan explains this is why Concept Plan Approval is not issued until after the SEQRA process.

Mr. Jordan said the ponds are proposed in the green area north and south of the project.

Jim Callahan said if this project is referred to the TEQR Committee, they will have to analyze the full build-out; what will ultimately come back to the Planning Board is just the project they see before them now.

Deputy Town Attorney, David Donohue said there would not be a point in time where the Planning Board would give Concept Plan Approval to the larger plan

Mr. Schultz voices his concern with proper wording and goes on to state that the project was referred to the Planning Board because Mr. Jordan told the Town Board that this project **will** stand alone. Mr. Schultz is now getting a different sense in that this project won't stand alone. Mr. Jordan said the project could stand alone. Mr. Schultz said there is a difference between **could** and **would** and refers to his prior questions.

The project was referred by the Town Board at the September 26, 2007 meeting; the minutes of that meeting are not complete as of this date. Patricia Powers reads the minutes from the September 12, 2007 Town Board meeting in which the project was tabled.

Ms. Salvati said she would be more comfortable reviewing the project knowing that the property is rezoned, she said what the applicant is currently proposing is against the law. Mr. Callahan clarifies by saying the Town Board referred only this project which is allowed in the current zoning; this is the only proposal the Planning Board can act on; the applicant is not proposing anything against the law.

Mr. Pazda questions the proposed parking. Mr. Jordan said based on his experience, the proposed parking is what they will need at the site.

Mr. Jordan said there will be a mix of businesses at the site, they include medical, dental and financial planners; there will be no restaurants.

Randall Dipert, of 6026 Wellesey Common, is a member of the board of his Neighborhood Association. Mr. Dipert said the developer met with the neighbors and shared the entire plan with them. The neighbors were given addresses of other projects the developer has completed and they went and viewed the property. The City Fence property is ugly and full of litter, but now is being cleaned up because of the possible development. An environmental group has been on the property and Mr. Dipert inspected the boundary markers and the marked wetlands; the markers seem to be reasonable. If the neighbors had to choose a developer, they would choose Mr. Jordan. The neighbors have two concerns, the first one is they want to come to an agreement on what exactly the buffer will look like and what the boundary will be configured as. Secondly, the neighbors are interested in the wetlands environmental review process. It is clarified that the neighbors viewed plans for the full build-out of the site and discussed the plans with the developer.

Jerry Haas, of 8024 and 8026 Clarence Center Road, speaks in favor of this project. He thinks it is a good use of the property. Mr. Haas has also seen the plan and thought the proposed buffer was more than adequate.

Ken Schaefer thinks the project sounds good for the properly zoned portion, but if the part that relates to the residential is not in accordance with the Master Plan the Concept Approval should not be given.

ACTION:

Motion by Patricia Powers, seconded by Jeffrey Grenzebach, to **table** agenda item #1 due to the following main concerns:

- Zoning to the rear of the property.
- The possible changes to the Master Plan 2015 and the Zoning Code.
- A Concept Plan Checklist must be provided within one week.

ON THE QUESTION:

Mr. Drinkard asked for a description of what the green areas are on the plan. Mr. Jordan said he likes to landscape the islands in the parking lot. The detention basins will be on the southern side of the site. Patricia Powers suggests that, when the applicant is referred to TEQR, he show the detention basin(s) on the site plan, he agrees.

Jim Callahan identifies that what has been referred from the Town Board is within the proper zoning.

Mr. Jordan explains that there are woods along the northeast boundary. The northwest side has old buildings and garbage on it. Mr. Drinkard suggests the applicant plant trees where needed to

provide a living buffer at the boundaries. Mr. Jordan said they will leave the decision of what type of buffer/trees/berm to the neighbors. He planned on planting trees where there were none.

Deputy Town Attorney David Donohue does not agree that the Planning Board should be reviewing the full build-out.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
Timothy Pazda	Aye	Richard Bigler	Aye
Albert Schultz	Aye		

MOTION CARRIED.

Item 2

Eric Ogren
Major Arterial

Requests Concept/Development Plan approval for a proposed Change-In-Use at 6051 Transit Road (formerly Beauty Pools).

DISCUSSION:

Jim Callahan provides the history on the project. It is at the same location as agenda item #1 on the east side of Transit Road, north of Clarence Center Road. The existing commercial structure is proposed to be split from the parent parcel. A change in use is proposed to establish a retail business in the structure. The applicant was referred to the Planning Board from Town Board to coordinate the split with the overall site development and to identify parking location requirements.

Eric Ogren is present and explains half the water drains into a large ditch, which is located to the left of the property. There is also a catch basin to the right-hand corner of the property (this does not show on the plan), so the water is taken care of at the site.

Timothy Pazda points out that the applicant believes he is before the Board for an application for a parking lot, the Planning Board believes the applicant is before the Board for a Minor Subdivision split. Wendy Salvati said Minor Subdivisions do not come before the Planning Board. She also indicates that the Planning Board does not have an accurate submittal for this proposal. Gerald Drinkard said the document submitted does not match what Mr. Jordan submitted for agenda item #1; it shows a different road scheme. Patricia Powers said the sketch that was submitted is not to scale and the dimensions shown did not match the plan submitted by North Forest Office Providers. Wendy Salvati said the Planning Board needs a drawing that correctly shows the property size, what the lot will be after it is broken off and the documentation that is required for Site Plan Review. Mr. Ogren thought that paperwork was taken care of by the Planning Board.

ACTION:

Motion by Patricia Powers, seconded by Timothy Pazda, to **table** agenda item #2 to provide time for the applicant to present the proper documentation.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
Timothy Pazda	Aye	Richard Bigler	Aye
Albert Schultz	Aye		

MOTION CARRIED.

Item # 3 has been moved to the end of the agenda per the request of the applicant's attorney.

Item 4

Essex Homes
Residential Single-Family

Requests Preliminary Concept Plan Review of a proposed 55-lot Open Space Design Development on approximately 66 acres north of 6440 Goodrich Road.

DISCUSSION:

Jim Callahan provides the history on the project. It is located on the west side of Goodrich Road, north of Pine Breeze subdivision and consists of 69+ acres. Previous review resulted in court action. The applicant is present to introduce a revised Open Space Design Development project.

Sean Hopkins, of Hopkins, Garas and Sorgi, is representing the applicant. Mr. Hopkins said he is before the Planning Board for one purpose this evening and it is to request that the Board reconsider the density determination that was recommended on February 17, 2006. The Planning Board's recommendation was for 45 lots, the applicant's position was for 64 lots. The applicant has made several significant changes to the project, one of which is the removal of the cul-de-sac. The second is the increased buffer along the southern portion of the project site, this accomplishes two goals. The first goal is that the proposed houses will be further away from the existing houses; the minimum setback is now 102'. The second goal is that the integrity of the mature woodlot is now preserved in its entirety; conservation easements have been added along the rear of all those lots and within the conservation easement no vegetation will be removed. The matter is currently in litigation, but Mr. Hopkins is hopeful that an acceptable disposition can be reached that incorporates the input of all those involved. The applicant is not asking for Concept Approval or a referral to the TEQR Committee, he is only asking for a recommendation on the density.

Wendy Salvati asked what is proposed for Phase II. Mr. Hopkins said it is basically similar to the lots shown in Phase I, the applicant will not proceed to Phase II until Phase I is complete.

There is a lift-station at the site; however, it is not feasible to provide a lift-station with 45 lots. There would be selective clearing for the infrastructure; it would not be paved.

Mr. Hopkins points out that the amount of open space has been increased to 37 acres, which is 55%. He explains that there is a required 100' buffer around the designated wetlands and a DEC permit would need to be obtained in order to build in the buffer; the buffer is not wetlands. Wendy Salvati said if the DEC allowed the building of homes in the buffer she would ask that the conservation easement be continued down the back of those properties. Mr. Hopkins said they will consider this request.

The average lot size on the loop are 75' in width, the lots on the northern side of the road are 100' in width.

Mr. Hopkins said he has applied all the required exclusions stated in the Open Space Design Code.

Mr. Pazda asked about the density issue. Patricia Powers said the density was agreed to at a meeting with the Planning Board Executive Committee, the applicant, his legal representative and the Town Attorney. The density agreed to was 64 lots, which includes Phase II.

Nancy Latona, of 6440 Goodrich Road, said it seems that the plan has been lessened with regards to her property. She asked how much space she lost, where the Pinyon Court people gained. She thought the Planning Board was going to have the applicant look at moving the road north from where she is. She also questioned having an exit road to the back of the property; she is concerned with the traffic that will be generated from this project.

Mr. Hopkins explains the amount of buffer has been increased between Ms. Latona's property and the rear portion of the building area. The minimum setback between the rear of Ms. Latona's lot and the rear portion of the building area is now approximately 135' to 140'. He explains that the road can not be moved north because there are Federal Wetlands there. Ms. Latona asked how far from her property line is the proposed road. Mr. Hopkins said it is about 100' from the edge of the right-of-way, and the space will be left as permanent green space.

Harry Lipka, of 6430 Goodrich Road, is also concerned with the buffer; it looks like there is a substantial gain for those people on Pinyon Court. Mr. Hopkins explains that Mr. Lipka and Ms. Latona have gained 40' of buffer from the old plan; the buffer is approximately 135' to 140'. Mr. Lipka asked if there is a minimum height requirement to determine what trees will be saved. Mr. Hopkins said there will be no removal of any vegetation unless it is an unhealthy tree in the conservation easement area; Wendy Salvati adds that it will also be deed restricted. Mr. Lipka is very concerned about the traffic and the speed limit. There is another subdivision to the east of this proposed site. He feels the speed limit should be reduced or a double solid line should be on the street.

Wendy Salvati recalls the discussion of eliminating lot #1 because the wetlands went into that lot. Mr. Hopkins said they never agreed to that; there will be no wetland impacts associated with lot #1. Gerald Drinkard recalls the discussion as well and said a potential stone wall was discussed; this would truly delineate the area. Mr. Hopkins will consider this suggestion.

Deputy Town Attorney David Donohue said the density issue needs to be tabled as he has not consulted with the Town Attorney on the issue. Mr. Donohue does not know what the status of litigation is. Mr. Hopkins said he talked to Town Attorney Steve Bengart today and it was Mr. Bengart's understanding that the Planning Board would make a recommendation regarding the density determination this evening.

Jim Callahan voices his concern explaining that the item was not worded properly on the agenda, thus not advertised as a density issue.

Wendy Salvati would like to see a lot configuration for Phase II, she realizes it may never be built but would like to see what is proposed. Mr. Hopkins said they have that plan and will forward it to the Planning Board. Ms. Salvati has an issue with lot #10 as it is very triangular and will be hard to

fit a home on the lot, she suggests eliminating it. Mr. Hopkins said the lot is large enough to fit a home on it; the size will be dictated by the setbacks.

ACTION:

Motion by Patricia Powers, seconded by Wendy Salvati, to **table** agenda item #4 based on council's advice. The project will be placed on the November 14, 2007 meeting for a density recommendation and will be advertised properly.

ON THE QUESTION:

Wendy Salvati asked for a revised plan prior to the November 14, 2007 meeting, Mr. Hopkins agrees. Mr. Hopkins said the project should be advertised as 64 lots. The density determination is verified by Mr. Callahan; the Town Board approves it. Mr. Schultz said it is hard to see 50% Open Space on the plan. Mr. Hopkins said there is 37 acres of greenspace. Mr. Schultz said the issue is the 100' buffer which is supposed to be excluded.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
Timothy Pazda	Aye	Richard Bigler	Aye
Albert Schultz	Aye		

MOTION CARRIED.

Item 5

Dunkin' Donuts
Commercial

Requests Amended Concept Plan approval for a
new restaurant/drive-thru at 9430 Main Street.

DISCUSSION:

There is no representative for Dunkin' Donuts present.

ACTION:

Motion by Wendy Salvati, seconded by Gerald Drinkard, to **table** agenda item #5 until the end of the meeting.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
Timothy Pazda	Aye	Richard Bigler	Aye
Albert Schultz	Aye		

MOTION CARRIED.

Item 6

Sign Application Review

Discussion.

DISCUSSION:

A sign for Yoga By Kathy, located at 4401 Bryant Stratton Way is approved.

Item 3

Ranchview, LLC/John & Joe Rubino
Residential Single-Family

Requests Preliminary Concept Plan Review of a proposed 44-lot Open Space Design Development on approximately 28.3 acres at the southwest corner of Clarence Center Road and Shimerville Road.

DISCUSSION:

Jim Callahan provides the history of the project. It is located on the southwest corner of Clarence Center Road and Shimerville Road and consists of 28+ acres. The applicant is present to introduce a revised Open Space Design Subdivision.

Jeff Palumbo, of Damon and Morey, is representing the applicant. The applicant was involved in a lawsuit and Mr. Palumbo explains the essence of the decision. The judge found a portion of the Subdivision Regulations unconstitutional as it related to the lack of a definition for dense mature woodlands. While the lawsuit was pending the Town changed the ordinance to reflect something similar to woody vegetation. The judge refused to consider the change of language during the lawsuit. There is no decision on the constitutionality of the amendment. The applicant met with Town Attorney Steve Bengart, Director of Community Development Jim Callahan and others in an effort to come to a compromise resolution. The plan that is before the Board this evening is a result of the compromise; there are several changes to the original plan. Mr. Palumbo explains that there is now a 200' setback all around the project site. A second change to the plan shows the density has been reduced from 47 units to 44 units; this is still in excessive of the Planning Board's determination but it is a compromise based on the hope that further lawsuits can be avoided. A third change to the plan is the reduction of the size of the lots to 71' x 110'. Mr. Palumbo said the proposal has already been to the TEQR Committee. He is asking for a recommendation for Concept Plan Approval and does not want to see the project be referred to TEQR again.

Mr. Callahan explains that, at this point, there is no determination under SEQRA; the project still needs to go through the SEQRA process. Mr. Palumbo asked if the referral to TEQR could be skipped because they have made their recommendation and put the proposal back before the Town Board and let them decide.

Mr. Schultz explains that he was a member of the TEQR Committee when this project was referred to the Committee. He explains that the TEQR Committee did not receive a plan; they received a Part I that said there was an indeterminate number of lots and the only question that was asked of the TEQR Committee was could Sewer District #5 be extended to handle the division. There was no choice but to recommend a Positive Declaration because they had no further information such as density or layout. Mr. Palumbo said this was his argument to the TEQR Committee: he could not provide them with any further information because there was nothing else approved.

Mr. Palumbo said he could conceive this Board referring the project to TEQR with this plan and let them make a recommendation to the Town Board.

The original density was 34 lots. The unused space is greater than 50%. The total acreage is 28.39, the developable acres are 12.7.

Deputy Town Attorney David Donohue explains that the density calculation subtracts all the unusable land, including wetlands, to come up with what can be used as the as-of-right build-out. The Open Space Design should not exceed this density. This project exceeds the density calculation.

Chairperson Powers said there was discussion in the work session suggesting a second access point for the project. Perhaps Lot 18 could be moved to allow a second access; however, this would cut into the woodlands. Mr. Palumbo said the applicant can find a place to put a second access, he goes on to say that the proposal is for a private road. Deputy Town Attorney David Donohue explains that the Fire Advisory Board prefers a wider road to accommodate emergency vehicles. Mr. Pazda said the Fire Advisory is concerned about the proper access and the upkeep during winter.

Chairperson Powers asked what the plans are for the open space on the corner of Clarence Center Road and Shimerville Road. Mr. Palumbo said the plan was to let that area grow back to meadow, maybe plant some wildflower mix; it will definitely not be turned into lawn. Mr. Drinkard suggests augmenting the area with landscaping.

Richard Bigler asked if the density issue can be set aside for the time being. Deputy Town Attorney said it is close enough that the project can be referred to TEQR at this point, but if there are going to be changes, such as to the road widths, adjustments will need to be made.

The Town Board referred the project to the Planning Board based on 44 lots.

Wendy Salvati points out that if the plan changes to reflect public roads it will take away greenspace.

Gerald Drinkard suggests a utility road. Deputy Town Attorney Donohue suspects Fire Advisory and DOT would not be in favor of a utility road.

Harry Lipka, of 6430 Goodrich Road, said the proposed 200' buffer is refreshing.

ACTION:

Motion by Richard Bigler, seconded by Jeffrey Grenzebach, to **refer** agenda item #3 to the TEQR Committee as presented, which reflects the 44-lot design.

ON THE QUESTION:

Mr. Grenzebach said when the proposal is before the TEQR Committee the plan needs to show a secondary road and where the lot is going to go.

Mr. Palumbo said if Preliminary Concept Plan Approval is not granted and the project is referred to TEQR, the applicant will have to come back before the Planning Board again prior to going to the Town Board. Gerald Drinkard said there is not enough information to grant Concept Plan Approval. Ms. Salvati said all projects that come before the Planning Board at the Preliminary Concept Plan stage are tabled. Mr. Callahan said it is put on the Planning Board's agenda for the following meeting and then is referred to TEQR; this has been the procedure for the past twelve (12)

years in the Town of Clarence. The project comes back to the Planning Board after a determination has been made under SEQRA and the Planning Board then recommends Concept Approval. Mr. Schultz explains that the SEQRA process includes a Part III which are changes to the project in order to mitigate the environmental impacts.

Mr. Palumbo said it appears that the TEQR Committee still does not have a plan to look at when the proposal is in front of them. Mr. Callahan said the plan that is before the Planning Board is being referred to TEQR; a Concept Plan Approval can not be recommended because an environmental analysis has not been done yet. Mr. Palumbo does not agree with this process.

Deputy Town Attorney Donohue offers another option: table the item this evening to allow time to obtain the new drawing. Mr. Palumbo does not want to do this.

Patricia Powers	Aye	Wendy Salvati	Aye
Gerald Drinkard	Aye	Jeffrey Grenzebach	Aye
Timothy Pazda	Aye	Richard Bigler	Aye
Albert Schultz	Aye		

MOTION CARRIED.

Item 5

Dunkin' Donuts
Commercial

Requests Amended Concept Plan approval for a
new restaurant/drive-thru at 9430 Main Street.

There is no representative for Dunkin' Donuts present. The item will remain tabled.

Meeting adjourned at 9:37 p.m.

Carolyn Delgato
Senior Clerk Typist