

Clarence Town Environmental Quality Review
(TEQR)
Meeting Minutes
Monday June 16, 2008

Chairman Matthew Balling called the meeting to order at 7:00 p.m. and led the pledge to the flag.

TEQR Members Present:

Chairman Matthew Balling	John Moulin
Paul Shear	Richard McNamara
Lisa Bertino-Beaser	Jonathan Hickey
Robert Sackett	

Other Town Officials Present:

Director of Community Development James Callahan
Planner Brad Packard
Councilman Peter DiCostanzo
Planning Board Liaison Jeffrey Grenzebach
Town Attorney Steven Bengart
Planning Board Chairman Gerald Drinkard

Other Interested Parties Present: Roy Jordan

Item 1-Approval of minutes from the previous meeting.

Motion by Paul Shear, seconded by John Moulin, to **approve** the minutes for the meeting held on May 19, 2008.

ON THE QUESTION:

Chairman Balling clarifies that page 2, third paragraph should indicate that Jim Callahan will **follow up** to see that the Part I is completed; it is the applicants responsibility to complete the Part I.

The minutes shall reflect Town Attorney Steven Bengart was absent, not present, at the May 19, 2008 meeting.

Matthew Balling	Aye	John Moulin	Aye
Paul Shear	Aye	Richard McNamara	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye
Robert Sackett	Abstain		

MOTION CARRIED.

Item 2-Communications.

Communications will be discussed under Unfinished Business.

Item 3a-North Forest Office Providers, 6051 Transit Road.**DISCUSSION:**

In combination with this item and agenda item b, Jim Callahan explains that the project is located on the east side of Transit Road, north of Clarence Center Road. The Town Planning Board had forwarded a recommendation to amend Master Plan 2015 that would include a zoning change to allow the proposed office park to a greater depth. The proposed Master Plan 2015 amendment was referred out for coordinated review at the May 28, 2008 Town Board meeting. This referral included the proposed North Forest Office Providers project as requested by this board. The 30 day comment period has not yet expired.

Chairman Balling said he spoke with Planning Board member Albert Schultz who agreed to entertain a site visit meeting on June 30, 2008 at 4:30 p.m. The meeting will be held at Pautler's, 6343 Transit Road. The meeting will be noticed and published as a public meeting. The attendees for the meeting will be the TEQR Committee members and Mr. Schultz.

ACTION:

Motion by Matthew Balling, seconded by Jonathan Hickey, to **request** the Planning Department notice the meeting of June 30, 2008, at 4:30 p.m. to be held at Pautler's, 6343 Transit Road. The meeting is a site visit to gather information and learn Mr. Schultz' insights on the Master Plan amendments.

Matthew Balling	Aye	John Moulin	Aye
Paul Shear	Aye	Richard McNamara	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Item 3b-Master Plan 2015 Amendments-Transit Road Corridor.**DISCUSSION:**

See above discussion and action under Item 3a.

Item 3c-Shadow Woods Open Space Design Subdivision.**DISCUSSION:**

Jim Callahan describes the project as being located on the west side of Goodrich Road, north of Keller Road. A proposed Open Space Design Subdivision was tabled pending concurrence from the NYS DEC on Lead Agency Status; no new additional information has been received. A letter was received today from the attorney representing the applicant.

Chairman Balling said the letter received from the applicant stated they were going to meet with the DEC and following up with them. The applicant was looking for revised wetland delineation. The DEC did not concur with the Lead Agency Status. Chairman Balling asked if the revised site plan

needs to go back to the Planning Board. Mr. Callahan said only if it was significantly different; as long as the number of lots and the basic configuration remain similar and it's just a wetland impact the TEQR Committee can continue the review process. If it significantly changes the site plan based on the DEC findings, then it should go back before the Planning Board. Town Attorney Steven Bengart concurs with this.

The total lots for the original subdivision was 64; 54 lots in the phase to the east of the major wetlands.

Chairman Balling asked Jeffery Grenzebach, Planning Board Liaison, what a significant change would be. Mr. Grenzebach said if the number of lots was significantly increased, for instance by 10, or if the design was radically changed.

Mr. Callahan clarifies that the applicant can not add lots. The project will remain tabled.

Item 4a-Wood Meadows Open Development Area, 8625 Tonawanda Creek Road.

DISCUSSION:

Jim Callahan provides the history of the project. The property is located on the south side of Tonawanda Creek Road, west of Northfield Road. It consists of just over 46 acres and in the Agricultural Flood Zone. It was referred from the Planning Board at the May 21, 2008 meeting with concerns over environmental issues, particularly floodplain and wetland impacts. This represents the introduction of the project to the TEQR Committee.

Chairman Balling explains the project is an Open Development Area consisting of four 4 homes on a private road off of Tonawanda Creek Road. A site plan and an EAF Part I has been received. Because the project is developing 10 acres it meets the threshold as a Type I Action and requires coordinated review.

ACTION:

Motion by Matthew Balling, seconded by John Moulin, to **recommend** the Town Board accept the EAF Part I as drafted and initiate coordinated review among all interested and involved agencies.

ON THE QUESTION:

Paul Shear refers to the project map which shows a lot with a building on it, he asked what the building is. Mr. Callahan said it is a barn. He goes on to explain the proposal is for four (4) new residential lots and the applicant did not want to take the existing barn down so they are adding property to the rear of the one existing residential unit up front to include the barn. The barn becomes an outbuilding on an existing piece of property.

Matthew Balling	Aye	John Moulin	Aye
Paul Shear	Aye	Richard McNamara	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye
Robert Sackett	Aye		

MOTION CARRIED.

Item 4b-Proposed Architectural Design Standard Amendments to the Zoning Law.**DISCUSSION:**

Jim Callahan explains that the Planning Board has developed amendments to the Town Zoning Law related to the architectural design requirements in the Commercial and Restricted Business Zoning Classifications. The Planning Board has forwarded the proposed amendments to the TEQR Committee for review and comment.

Chairman Balling refers to the proposed changes and reads from the section entitled Supplemental Standards: Standard franchise designs are not encouraged; designs should be oriented towards matching the character of the community. Chairman Balling said there are questions as to how enforceable this provision would be and how it may complicate Town standards. Another item that came to question had to do with the Commercial section specific to item G-Sidewalks. Consideration should be given to an additional item in which cross walks that are incorporated in the parking lot designs should be constructed of material patterns that contrast with the color and texture of the surrounding asphalt parking lot.

Mr. Shear questions the paneling and vinyl siding on commercial construction; he would be more comfortable if it were brick and stone.

Chairman Drinkard said this particular action is an Unlisted Action; it is not required for coordinated review. The Town Board will need to contact the Town of Amherst because there is a stipulation in Town Law that states a neighboring community has to be notified.

Mr. Shear refers to 229-80 (d) and (e) and voices his concern that the trash containers may be allowed in the parking lot which may be allowed in the front of the building.

ACTION:

Motion by Matthew Balling, seconded by Paul Shear, to **recommend** the Planning and Zoning office prepare a SEQRA Part II and III. The TEQR Committee also **recommends** the Town Board issue a Negative Declaration on the proposed project

Matthew Balling	Aye	John Moulin	Aye
Paul Shear	Aye	Richard McNamara	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye
Robert Sackett	Aye		

MOTION CARRIED.

The next meeting date is July 21, 2008.

Meeting adjourned at 7:24 p.m.

Carolyn Delgato
Senior Clerk Typist