

Minutes of the regular meeting of the Planning Board, held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 7, 2008 at 7:30pm

ROLL CALL: Present: Kevin Lester, Chairman
Charles Rizzone
Catherine Kulpa
Walter Pacer
Wesley Stone
David Vitka
Edward Zabel

William Wutz, Alternate
Shawn Michel, Alternate

Also present: Brian J. Geary, Trustee Liaison
Christopher A. Cardillo, Village Attorney
Brian Fineberg, Code Enforcement Officer
Deborah A. Habes, Deputy Clerk

Chairman Lester opened the meeting at 7:30 p.m. with the Pledge of Allegiance.

ON MOTION by Mr. Rizzone, seconded by Mr. Stone, it was moved to approve the minutes of the last meeting held on December 3, 2007, as submitted.

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| Roll Call: | Rizzone | Yes |
| | Vitka | Yes |
| | Stone | Yes |
| | Lester | Yes |
| | Zabel | Yes |
| | Kulpa | Abstained |
| | Pacer | Abstained |

Motion passed.

Log #08--02
Wall Signs (2)

5759 Main Street (C-2)
Owner: Benderson Development
Business Owner: National City Mortgage
Applicant: Flexlume Signs

Pat Wall of Flexlume Signs and a representative from National City Mortgage were present to represent the application.

This application is before the Board for review of (2) proposed internally illuminated box wall signs.

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The proposal is for 2 internally illuminated box signs to be mounted on the Main Street and Garrison elevations of the tenant space. The internally illuminated 21 square foot sign boxes measure 16'-8 3/8" wide by 3'-0" high. The background will be white with Emerald Green (Pantone #342) non-illuminated channel letters reading: "National City Mortgage". Size of lettering will run from 1'-8" high to 12" high.

Mr. Wall said that for consistency of appearance, the property owner urged them to pursue internally illuminated box signs since the plaza's other tenants already had internally illuminated box signs.

Chairman Lester indicated to the applicants that the Planning Board is not in favor of internally illuminated box signs and that is why the newly adopted sign code does not allow them. Chairman Lester indicated that the signs must be lighted in another manner. If no internal illumination is used, and if all else is in conformity with the sign code, there is no reason for the applicants to come back before the Planning Board for sign approval. The Building Department would be able to approve the signs.

ON MOTION by Ms. Kulpa, seconded by Mr. Zabel, it was moved to deny the applications as submitted.

Unanimously carried.

Old Business

Log #07-08-09

Revisions to façade

As per letter dated March 26, 2008

5330 Main Street (C-3)

Townsend Square

Rose Blank and Jim Rumsey of Benderson Development were present to represent the application.

Mr. Rumsey stated that he was here a year ago to present a proposal for renovations to the building's façade. As per a letter to the Village Planning Board dated March 26, 2008, they are proposing additional modifications to the façade. Mr. Rumsey indicated that Spot Coffee will be the new tenant for the first floor Main Street side of the building. When asked when they plan to occupy the space, Mr. Rumsey replied that the tenant is hoping to be in by September 2008. Interior demolition has already begun.

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Comments:

- The new tenant has requested more windows along the Main Street side to present a more pedestrian friendly appearance and allow more natural light into the space. The glass will be clear vision glass and will meet the existing concrete planter between the sidewalk and the building. The windows will not be sliders. The window mullions will be silver anodized aluminum.
- There will be a new entrance to the coffee shop on the east side corner of the space. This new entrance will be recessed to compensate for a slight change in grade. The existing sidewalk will be able to be graded accordingly.
- There will be approximately 3,200 square feet of space used by the coffee shop.
- There are HDCP spaces on both sides of the building. Both entrances to the coffee shop will be HDCP accessible.
- An existing mechanical room on the east side of the space will be converted to a service entrance for the coffee shop. All deliveries will be made through this service entrance.
- All dumpsters and trash containers are located at the north side of the building. The Planning Board wants them screened.
- Mr. Rumsey stated that the hair salon has been informed of the new renovations.
- The existing low concrete planter on the Main Street elevation between the sidewalk and the building will remain. Various planter containers will be placed in that area and will be maintained by Benderson.
- The coffee shop entryway on the west side elevation will be a single door with an articulated metal grid above.
- Ms. Kulpa did not agree with the positioning of the two columns at the coffee shop's proposed recessed entrance (Exhibit D) on the east side of the space. She suggested that the proposed location of the 2 columns would block the customers' clear view of the entrance upon approaching and likewise upon exiting, giving it a closed-in feeling. Mr. Rumsey said that the columns could not be moved due to structural requirements.

Ms. Kulpa brought forth a motion to approve five (5) modifications (A, C, E, F, G) of the seven (7) proposed modifications (A – G) as per the letter dated March 26, 2008 to the Planning Board from Rose Blank of Benderson Development. The items are as follows:

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Item A – “Along the south elevation at the main building, the window area has been increased to allow more natural light into the proposed coffee shop.”

Item C – “The east elevation has been modified to show the new entrance and storefront glass has been added.”

Item E – “The adjacent columns along the entrance doors have been removed.”

Item F – “On the south elevation, (2) columns have been added and (2) columns have been relocated to create a more balanced look to the façade. The smaller dormers have been relocated. The light fixtures have been relocated to salon door entrance.”

Item G – “A smaller entrance element has been added to the proposed coffee shop entrance. This entrance would be the tenants’ secondary entrance and due to the proximity of this element to the larger adjacent tower, this element is smaller and less ornate than previously proposed. The larger more ornate entrance element will be added when the remaining leaseable space is occupied.”

For lack of a second, the motion failed.

Village Attorney Cardillo addressed the Planning Board and suggested that a motion could first be made to approve the whole of the submittal, and then if needed, a motion or motions could be made to parcel out the submittal item by item for further vote.

ON MOTION by Mr. Stone, seconded by Mr. Vitka, it was moved to approve the application as submitted, that is Exhibit C, dated 3/36/07, and as per the letter from Rose Blank of Benderson Development, dated March 26, 2008, specifically items A,B,C,D,E,F,G, quoted as follows:

- **Item A** – “Along the south elevation at the main building, the window area has been increased to allow more natural light into the proposed coffee shop.”
- **Item B** – “At the right corner of the main building, see exhibit D, the corner has been modified to allow for an entrance to the proposed coffee shop.”
- **Item C** – “The east elevation has been modified to show the new entrance and storefront glass has been added.”
- **Item D** – “Along the south and east elevations the column placement has been modified around the new entrance and new storefront windows.”

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- **Item E** – “The adjacent columns along the entrance doors have been removed.”
- **Item F** – “On the south elevation, (2) columns have been added and (2) columns have been relocated to create a more balanced look to the façade. The smaller dormers have been relocated. The light fixtures have been relocated to salon door entrance.”
- **Item G** – “A smaller entrance element has been added to the proposed coffee shop entrance. This entrance would be the tenant’s secondary entrance and due to the proximity of this element to the larger adjacent tower, this element is smaller and less ornate than previously proposed. The larger more ornate entrance element will be added when the remaining leaseable space is occupied.”
Mr. Stone added that this shall also include the added articulation of metal grid work to be applied to the EFIS (Exterior Finish Insulation System) of this entryway, as per the color rendering labeled #4 by Mr. Rumsey at this evening’s presentation.

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| Roll Call: | Mr. Rizzone | Yes |
| | Mr. Vitka | Yes |
| | Mr. Stone | Yes |
| | Mr. Lester | Yes |
| | Mr. Pacer | Yes |
| | Mr. Zabel | Yes |
| | Ms. Kulpa | No |

Motion passed.

In other business:

Comments

- 5505 Main Street, ATA – Mr. Vitka stated that the color of the Dryvit remains non-compliant with a previously passed resolution of the Planning Board. It should be whitish gray in color, not tan. Mr. Lester commented that the parking at that location this past weekend was problematic due to the fact there were performances being put on at the theater.
- 5930 Main Street - Mr. Vitka questioned if the lease sign on the freestanding sign was code compliant.

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- 58 S. Union Rd. - Mr. Vitka noted that there is a retaining wall with pipes protruding that is unsightly.
- 5546 Main Street, Markos Designs - Mr. Lester questioned the status of the wall sign.
- 5655 Main Street, Orvis Shop – Mr. Lester questioned the status of the previously approved wall sign and why it had not been erected yet.
- 5688 Main Street, DK Benson Designs – The wall sign is lighted and therefore in violation of the sign code. Attorney Cardillo stated that he would look into it.
- Neon window signs – Ms. Kulpa noted that they are sprouting up in various locations throughout the Village.
- 5601 Main Street, The Irishman – Mr. Zabel noted that the empty freestanding pole sign at the northeast corner of the property is still standing but should have been removed.
- 5461 Main Street, Bikram Yoga – Mr. Stone questioned the placement of the 2 wall signs at this location since they are above the windows on the second story tenant space. Mr. Fineberg stated that according to his interpretation of the code, it appeared to comply. He will look into it and report back.

ON MOTION by Mr. Rizzone, seconded by Mr. Stone, it was moved to adjourn the meeting at 8:36 p.m.

Unanimously carried.

Deborah A. Habes
Deputy Clerk

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ON MOTION by _____, seconded by _____, it was moved to adjourn the meeting at _____ p.m.

Unanimously carried.

Deborah A. Habes
Deputy Clerk