

Minutes of the regular meeting of the Planning Board, held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, August 4, 2008 at 7:30pm

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

Also present: Shawn Michel, Alternate
Brian J. Geary, Trustee Liaison
Charles D. Grieco, Village Attorney
Brian Fineberg, Code Enforcement Officer
Deborah A. Habes, Deputy Clerk

Absent: William Wutz, Alternate
Jeffrey Kingsley, Trustee

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

ON MOTION by Ms. Kulpa, seconded by Mr. Stone, it was moved to approve the minutes of the last meeting held on June 2, 2008, as submitted.

Unanimously carried.

Log# 07-08-09

Revisions to façade

5330 Main Street (C-3)

Townsend Square

Architect James Rumsey of Benderson Development was present to represent the application for the introduction of an entrance door for a new tenant on the west elevation of the building. Mr. Rumsey stated that this new entrance will feature a small cornice detail above the doorway to differentiate it from the Spot Coffee entrance to its right. The colors will remain the same as originally planned. Mr. Rumsey indicated that there were similar fascia details on other Benderson properties located on Transit Rd. and Losson, next door to the new Target, and also in the new Panera, Ann Taylor Loft, Coldwater Creek retail development on Buffalo Rd. in the Village of Orchard Park. Mr. Rumsey also indicated that because there was no increase in the square footage of the building, the new tenant would not affect the parking requirements for the parcel. The dentil detail above the Spot Coffee west entrance will be removed since it is not in character with the style of the building.

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Ms. Kulpa brought forth a motion to table this application until September's meeting to give the Planning Board a chance to see the examples of the McDonalds signs in Orchard Park prior to voting on the proposal.

There being no second, the motion failed.

ON MOTION by Mr. Lester, seconded by Mr. Zabel, it was moved to approve the plan revision to include the new doorway entrance for the new tenant on the west elevation of Townsend Square. The dentil detail as shown in the elevation drawing date stamped July 14, 2008 over Spot Coffee's west entrance will be removed.

Roll Call:	Rizzone	Yes
	Vitka	Yes
	Lester	Yes
	Stone	Yes
	Pacer	Yes
	Zabel	Yes
	Kulpa	No

Motion approved. 6 – 1.

Log # 08-06-06

Proposed new construction

5316-5330 Main Street (C-3)

McDonald's

Randy Bebout of FRA Engineering was present to represent the application.

Mr. Bebout stated that the existing building will be demolished and a new building will take its place.

Mr. Bebout addressed the Board's and neighbors' concerns as follows:

- The side by side drive-thrus have been eliminated.
- The drive-thru speakers have been moved further away from the nearby residential properties.
- They have increased green space to 8' – 10', as well as increased the number of arborvitaes for screening along the residential lot lines.
- They have changed the driveway location to comply with the Town of Amherst's recommendation.

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- They have reduced the foot candle at the residential lot lines to 0.0
- The number of seats in the restaurant has been reduced to 68, thereby reducing the required number of parking spaces.
- The drive-thru will be a single lane. The speakers are of a much better technology and the decibel level will be reduced. Mr. Bebout presented a revised decibel level plan dated August 4, 2008 to the Board this evening.

Mr. Lester stated that he had personally visited the neighboring residential yards at night so he could experience what the neighbors have complained about in their recent letters to the Board. He said the lights from the vehicles shine thru the stockade fencing and the noise from the speakers could be heard. Mr. Vitka asked if it were possible at off-peak times for people to order at the window and not use the speakers. Mr. Bebout said he would ask the owner. Mr. Bebout stated that the decibel levels for each speaker have been reduced by ten decibels each.

The patio at the front of the proposed new building will have 3 tables and be surrounded by a 4' high powder-coated aluminum fence. This is to prevent children from darting into the parking lot.

Ms. Kulpa requested that a holistic site plan be submitted that would include all aspects of the entire parcel.

Mr. Lester suggested that the Board members have seen other types of McDonald's designs all over the country and know that there has to be a design that will better fit the historic character of the Village of Williamsville and not be a stereotypical cookie-cutter design. The latest design is not acceptable. Mr. Lester wondered if there were a portfolio of building styles that the applicants could show them. Mr. Rizzone suggested the use of our native quarry stone in the structure, similar to the McDonald's on Transit Rd. in Clarence near Wal-Mart. That store also has copper details. Could there be an incorporation of the Village's Water Mill details into the design.

The entire Planning Board believes that the current building design is not acceptable to the Village.

Regarding the proposed new pole sign, the Board wants the sign as small as possible. Mr. Bebout stated there are utility issues at the corner of Main and S. Union that they are trying to address. Mr. Rumsey stated because of these utility issues there is a delay in addressing the entrance wall at the corner. The hardscape and the landscaping match the entrance feature on the opposite corner at Walgreens. They are trying to work it out.

Ms. Kulpa stated she would like to see the new building turned 90 degrees and be brought forward to Main Street and have the patio on the Main Street side. She further commented that the one parcel of land contains both McDonald's and Townsend Square.

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Mr. Bebout stated that unfortunately because of the location of the drainage tunnel at the site, it would not be possible to bring the building up to Main Street.

She also would like to see safeguards for the neighbors. She does not believe the stockade fence is sufficient to deter noise, vehicle emissions, or trash from penetrating through to the neighboring residential properties.

Mr. Zabel asked if it would be possible to install a masonry noise barrier at the drive-thru. Mr. Bebout stated that the cost was an issue for the barrier to be built and also there must be sufficient open pavement for the delivery trucks to maneuver.

For the next meeting:

1. Ms. Kulpa requested that a site plan of the entire parcel be submitted, one including both Townsend Square and McDonald's, so that the Board can see what the entire parcel will look like.
2. The Board wants the applicants to be specific on exactly which aspects of the project they will be presenting at the next meeting, be it site plan, pole sign or architectural review.
3. The Board requested that a portfolio of McDonald's signs be submitted for their review.

ON MOTION by Mr. Zabel, seconded by Mr. Vitka, it was moved to adjourn the meeting at 8:45 p.m.

Unanimously carried.

Deborah A. Habes
Deputy Clerk

**The next Planning Board meeting will be held on
Tuesday, September 2, 2008 at 6:30 p.m.**

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