

Minutes of the regular meeting of the Village of Williamsville Planning and Architectural Review Board, held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, March 2, 2009 at 7:30pm

ROLL CALL:

Present: Kevin Lester, Chairman
Walter Pacer
Catherine Waterman-Kulpa
Wesley Stone
David Vitka
Charles Rizzone

William Wutz, Alternate
Shawn Michel, Alternate

Also present: Jeffrey L. Kingsley, Trustee Liaison
Brian Fineberg, Code Enforcement Officer
Deborah A. Habes, Deputy Clerk
Charles D. Grieco, Village Attorney

Absent: Edward Zabel

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

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Pacer, it was moved to approve the minutes of the last regular meeting held on February 2, 2009, as submitted.

Unanimously carried.

Log # 2009-02-04
Freestanding Sign

5930 Main St. (C-1)
Natale Builders

Chairman Lester informed the Board that the applicants' newly retained legal representatives had sent a letter to the Building Dept. this afternoon to ask for an adjournment of this application until the April 6th Planning Board meeting so that they could have more time to review and prepare for their client's application.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Vitka, it was moved to adjourn the Natale Builders (5930 Main St.) freestanding sign application until the April 6th Planning Board meeting.

Unanimously carried.

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Log # 2009-03-05

Arch. Review

Fencing/tote enclosure

5732 Main St. (C-2)

Sweet Jenny's

Business owner, Debbie Hanny, was present to represent the application for a fence and a tote enclosure at the rear of her tenant space, or the north side of the building.

Ms. Hanny is proposing to erect a 6' high wood stockade privacy fence with a gate that would enclose and shield her garbage totes from public view. The fence will be erected with 4 x 4 wood posts, except where the gate will be attached, in which case, steel posts will be used. The applicant expects to erect the fence in the spring when the ground thaws.

ON MOTION by Mr. Lester, seconded by Mr. Stone, it was moved to approve the fence application as submitted.

Unanimously carried.

Log #2008-06-06

***Architectural, Site Plan & Signage
Review***

5316 Main Street (C-3)

McDonald's

Chairman Lester stated that representatives for McDonald's had informed the Board that Scott Francis, of McDonald's Corp., was unable to be here this evening due to bad weather out of town. They have requested that the Board only review the SEQRA this evening. They have indicated that they are planning on submitting more information regarding the architectural review, site plan review and signage in time to be on the agenda for the April 6th meeting.

Mr. Lester stated that the Board had begun their review of the EAF for the McDonald's project at tonight's work session and would now adjourn the regular meeting to return to the work session to allow the Board members to continue discussing the review.

ON MOTION by Mr. Lester, seconded by Mr. Stone, it was moved to adjourn the regular meeting at 7:40 p.m. and return to the work session to allow the Board to continue to discuss the SEQRA review of McDonald's application.

Unanimously carried.

- *The Planning Board then returned to the work session and proceeded to analyze each item and make modifications to the draft negative declaration prepared by Village Attorney Grieco. Mr. Grieco indicated that the applicants have submitted*

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an EAF which is identical to the EAF that they had submitted to the Zoning Board. The Village Zoning Board of Appeals granted an area variance for front yard setback from Section 112-16 C (2) (A) for the McDonald's project at 5316 Main St. on February 18, 2009. He prepared a draft negative declaration based on the available record for the Board to serve as a template, but indicated they were free to make whatever determinations they deemed appropriate. He further stated that the SEQRA will be a determination on the project that is being proposed as to what exists on the parcel now.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Stone, it was moved to adjourn the work session and reconvene the regular meeting at 9:14 p.m.

Unanimously carried.

Chairman Lester then stated that upon completion of Parts 2 and 3 of the EAF and careful and diligent review of the draft of the negative declaration prepared by the Village Attorney, the Board would move to adopt the document, as modified by the Planning Board this evening (see attachment to EAF).

ON MOTION by Mr. Lester, seconded by Mr. Stone, it was moved to adopt the negative declaration for 5316 Main St. (McDonald's – Log #2008-06-06), for the reasons set forth in the determination of significance agreed to by the Board during work session this evening and appended to the EAF.

Unanimously carried.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Vitka, it was moved to adjourn the regular meeting at 9:20 p.m.

Unanimously carried.

Respectfully submitted,

Deborah A. Habes
Deputy Clerk