

## **Zoning Review Working Group Meeting Notes**

March 13, 2019

**Working Group Attendees:** Brian Kulpa – Chair, Brian Andrzejewski, Jacqueline Berger, Kelly Dixon, Dal Giuliani, Dan Howard, Ellen Kost, Scott Marshall, Dave Mingoia, John Radens, Mark Rountree, Alissa Shields, and Dan Ulatowski

**Absent:** Mark Berke and Doug Gesel

**Staff Present:** Kim Amplement

**Via Teleconference:** Lee Einsweiler from Code Studio

The meeting began at 6:33 pm.

Brian Kulpa asked the Working Group for any comments on or changes to either the February 13, 2019 or February 27, 2019 meeting notes. No comments or changes were suggested. Jacqueline Berger motioned to approve the minutes, Dal Giuliani seconded. The meeting notes from February 13, 2019 and February 27, 2019 were approved.

Brian Kulpa explained that at the last Working Group meeting the Figure 6-A map was discussed for Traditional centers and that the meeting tonight will be more about larger centers in Town and how to retrofit them in order to allow for more density in a more mixed-use form. He then stated that Lee Einsweiler who joined the meeting via teleconference would go through a presentation about the Suburban or “retrofit” districts.

Lee went through the presentation on the Suburban/Retrofit district concepts:

- Explanation of Infill vs. Retrofit centers/sites
- Goals for Retrofit centers
- An example (Maple/Bailey area) of a Retrofit Center:
  - Creating blocks with new streets
    - Scott Marshall asked if the Planning Board is part of the street approval process and how does that work?
      - Lee responded that yes the Planning Board would be the ultimate decider. He said that having a developer come in at the beginning of the process for a pre-approval meeting with the Planning Department where the Town expresses their plans and preferences and works with the developer is key – this needs to be a part of the code. Then the Planning Department in their review to the Planning Board can express their thoughts and how the developer did or did not meet those.

- John Radens expressed his preference for most of the streets within a center to not have cars allowed at all if we are trying to encourage people to walk.
  - Lee responded that cars and pedestrians can coexist if you design the spaces and roadways correctly.
  - Brian Kulpa explained that the blocks being created in the Opportunity Zone are close to what Manhattan blocks measure out to be and that these spaces are very walkable but that streets with access are required for people to have breaks.
  - Dave Mingoia stated that people like to drive through an area to see what's there and are less likely to park outside an area and walk around/inside the entire area.
- Open space requirement surrounded by these new “Core Streets” with more traditional development along them with buildings pulled close to the street to create a more active space for pedestrians.
  - Alissa Shields asked about who would have ownership and maintenance of these spaces and if there would be controls so that the entire space is not used for stormwater facilities? She expressed concern that these spaces would be exclusionary and also that they are not very connected so how could those issues be addressed?
    - Lee responded that typically they are both privately owned and maintained but that they can also be semi-public where they are open to the entire public (not just users of the site or buildings) and have set hours when they close. He said that this is up to the Town and could be based on different situations. He said the only thing that is typically excluded from these areas is free speech demonstrations as these are not their purpose. He pointed out that New York City has actually had difficulties with private parks and now have some rules as to how to be inclusionary.
  - Mark Rountree asked if the open spaces, such as their placement and size, are rigid as well?
    - Lee responded that no they typically are not but that the open spaces have to be along core streets. He also said that adjacent green space such as parks or sports fields may be able to meet requirements without adding more.
  - Alissa Shields asked for some language to be in the code to better connect these new green spaces within various developments.
    - Lee stated that yes this is something that could be emphasized. He said that as part of the Opportunity Zone in the Town more green connections would help to “green” the area along with the denser development.
    - Scott Marshall stated that as part of the road network they will be connected via required sidewalks and bike lanes.
    - Dan Howard stated that these new spaces are not intended to replace public parks.

- Brian Kulpa asked the Group to think about the Olmsted Park System in Buffalo and how those are separate and have distinct properties to make them unique but that there is/was a system to connect them both as “green links” and via streetscape improvements. He suggested that maybe some smaller connections such as alleys or greenways are encouraged within developments specifically for pedestrians. Lee said this is definitely a possibility and services can also coexist on these types of streets.
- Dan Howard said that these are great ways to address sustainability and NYSERDA’s goals.
- Different frontages are used based on existing street classifications (in our Comprehensive Plan) and new street classifications (Walkable, Village, etc.)
  - Dave Mingoia asked if the frontages (walkable/village) are more suggestive or are rigid/required?
    - Lee responded that in each district it would likely indicate a percentage as to how much of the street needs a specific frontage and what frontages are required.
  - Alissa Shields asked about whether 5 stories is too high for this area/example?
    - Lee responded that in allowing more height a developer may be able to support structured parking which reduces your surface parking and allows for more density.
    - Brian Kulpa responded that this area is in the Opportunity Zone with density and tax incentives, in not near any residential/single-family homes, and it may have a train stop or train line going right through this area which would support density and height.
  - Dan Ulatowski inquired about whether the Core Streets will be public or private?
    - Lee responded that typically they are private but built to public specifications so that the Town gets all it desires/requires. The Town may want some control for maintenance but they probably won’t want to own all the new streets.
  - Mark Rountree inquired about whether existing site utilities would remain or be scratched entirely to put in new ones?
    - Lee stated that it really depends on the quality of those utilities that are already present and whether they would work, need to be upgraded, or should be scratched all together.
    - Brian Kulpa stated that with most of these larger sites there will need to be a lot of site acquisition but the Boulevard Mall for example is a relatively large parcel/area that doesn’t have many existing utilities on site. He stated that with the Opportunity Zone we have to plan the area based on our desires and the new zoning, and then guess or be informed about what is needed on a utility basis based off those plans.
- Transitions and Residential Frontages to account for adjacent residential uses

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Lee stated that the next steps include the Working Group getting a whole draft document of the new Mixed-Use Districts (both Traditional/Infill and Suburban/Retrofit) to review and the Town and the Working Group mapping these districts.

Brian Kulpa added that the NYSDERA Grant is ending at the end of March but that does not mean that the project is over and that everything is final. It is expected that the Town will continue to work with Code Studio for a time after March in order to refine the districts and the Code and for there to be more public input. The end of March is really a time to update the Boards on what progress has been made thus far and how the NYSERDA Grant is being concluded. The Working Group may be asked to continue on with meetings and review of documents after the end of March if they are willing.

Brian Kulpa also went over some key meetings happening in March in order to satisfy the NYSERDA Grant. These include an update for the Town Board, Planning Board, and Zoning Board of Appeals which will be presented at the Town Board Work Session on Monday, March 18, 2019 in the Council Chambers at Town Hall. A second opportunity to hear the progress that has been made on this project is at a Special Planning Board Public Hearing on March 26, 2019 at the same location. This is a public hearing and the public who attend will be able to speak and comment. Again, these are more about updates regarding project progress and decisions made thus far.

Public Comment:

None

The meeting ended at 8:03 p.m.