

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

November 29, 2018

**Working Committee Attendees:** Brian Kulpa – Chair, Brian Andrzejewski, Mark Berke, Jacqueline Berger, Doug Gesel, Dal Giuliani, Dan Howard, Ellen Kost, Scott Marshall, Dave Mingoia, Mark Rountree, Alissa Shields, Dan Ulatkowski

**Absent:** Kelly Dixon, John Radens

**Staff Present:** Kim Amplement, Laurie Stillwell

**Code Studio:** Lee Einsweiler, Kevin Howard (via teleconference)

The meeting began at 6:35 pm.

Kevin Howard (via teleconference) started the meeting by reviewing Suburban District Concepts, most specifically related to access management and why it is important to include provisions for this district wide. These included examples and concepts for suburban shallow corridors, deep corridors, and centers. Kevin stated that the goal is to affirm these ideas so that Code Studio can draft the Suburban Districts.

- Brian Kulpa stated that the example they showed regarding the center/possibly a Boulevard Mall concept was not what the Town was aspiring to do for that area – it is not as dense as desired and has too much parking. He stated that we need to assume that the Town’s parking requirements will change/be lowered and work off of that assumption. He stated that the Opportunity Zone Area (between Niagara Falls Blvd, the I-290, and Maple Road) should actually be identified in the Comprehensive Plan as Traditional, not Suburban.
- Dan Howard asked the Working Group Town Staff to state their experiences with dealing with access management
  - Dan Ulatowski stated that it will be hard to divide up areas into blocks because we always deal with individual parcels. It would have to start with one developer and it would be hard to require certain aspects like a 50 ft. roadway through a large portion of their parcel. Dal Giuliani agreed with this.
    - Lee stated that the roadways crossing parcels may not actually be streets that need 50 feet of public right-of-way but may be more of private access aisle connecting all the parking lots – what is required may depend on the scale of the area or parcels. He said it is done on an incremental basis but without the provisions at all you guarantee that you won’t get it.

- Ellen Kost asked Lee if there are other communities that have these provisions in their codes or that use this plus certain incentives or trade-offs to make this happen.
  - Lee said yes but there are not many places that use incentives if they actually incorporate the provisions in the code, making them required.
- Scott Marshall pointed out that currently the Town's Code does not allow access to local streets if a major street is accessible. This has been a problem over the last few years because the NYSDOT has been trying to use access management on a case by case basis by not allowing new curb cuts or removing existing curb cuts to their State roadways.
  - Dan Howard said that if we do use these types of provisions for access management, we will have to talk with the DOT to make them aware and get their thoughts. Dan also asked if Lee had worked with any other communities in New York State that have dealt with access management with the DOT.
  - Lee said he would check. He also stated that there has never been a community that he has worked with that looks at each of the centers individually to actually plot out and plan these access management tools. He said they are pretty obvious once you put minimum and maximum distances and other provisions in the Code.
- Brian K. stated that the Village of Williamsville has some looser access management strategies in its Code that people could take a look at as an example.
- Mark Rountree asked if there is specific cross access easement language that other communities use and Lee stated that yes there is.
- Brian Andrzejewski asked if these internal streets or access drives can be used for fire access and Lee stated that depending on their dimensions yes they definitely could be.
- Brian K. asked whether we could incorporate a 20 ft. area that has to be left (whether it's paved or not) where these access drives/streets should be in order to at least keep that area free from a building should they put in access or someone in the future does. He explained it would be the transition from the residential and then the 20 ft. area for cross access that is required. Lee said this is a possibility.
- Lee stated that he will continue with some of these concepts and the input he received from the Working Group to draft the Suburban Districts

Kevin Howard explained the Draft Traditional Districts and the related concepts like frontages and transitions.

- Alissa Shields questioned the Residential Frontages and stated her concern about the images shown in the provisions because they are not very aspirational and they may be taken literally.
  - Lee stated that the images are meant to be examples and the supplement the provisions – they represent the measurements and scales to be utilized in each specific district. He also stated that the Residential Frontage is meant for homes that have been turned into offices or small stores in order to keep them in that

residential feel and so they aren't replaced with larger flat roofed buildings – this way they still fit in with the surrounding neighborhoods.

- Brian K. asked whether or not prescriptive architectural requirements were going to be a part of the new provisions. He stated that these are probably pretty important to have in the Traditional Districts to keep that village-like feel, where they may not be as important to have in the Suburban Districts.
  - Scott asked whether the current design standard provisions that are in the Code today will stay?
  - Lee responded by stating that yes he can put architectural provisions in the Traditional Districts if the Town chooses but that these are usually governed by the Planning Board or a separate Architectural Review Board – that is something the Town needs to decide before they are put in place. Lee also stated that he will take a look at the existing design standards in the Code and will likely revise and update these.

Dan Howard and Kim Amplement discussed possible schedule changes.

- Dan polled the Working Group on whether or not holding an additional meeting on December 19<sup>th</sup> would be feasible – it was determined that many members would not be able to attend and so no new meeting on this date was added.
- Kim suggested a 3 or 4 hour Mapping Workshop to map out the new districts within the centers, probably on a Saturday – either January 12<sup>th</sup> or 19<sup>th</sup>. After polling the Working Group, it was determined that January 12<sup>th</sup> should be the Workshop. Kim will follow up with details regarding location and time.

Kim Amplement asked the Working Group for any comments on or changes to the November 1, 2018 meeting notes. No comments or changes were suggested. Brian Kulpa motioned to approve the minutes, Scott Marshall seconded. The meeting notes from November 1, 2018 were approved.

#### Public Comment:

Don Smith, N. Long St. – Concerns about public notification and public participation.

The meeting was adjourned at 8:45 p.m.