

THIS PUBLIC HEARING WAS HELD VIA ZOOM

The Public Hearing for rezoning six parcels of property for redevelopment as Hot Dog Heaven was brought to order by Mr. Nahorn at 6:46 p.m. Also present were Council President Wasilk, Mr. Van Treuren, Mr. Dembinski, Mr. Cowger, Mr. Wachholz, Mr. Heberling, Mr. Janik, Assistant Law Director Ward, Mayor Costilow, Auditor Pittak, Law Director Pecora, Treasurer Ramsey, Safety/Service Director Jeffreys, Ms. Alicia Nicely of 452 Greenlawn, Amherst, and Mr. Chris Russo (requesting the rezoning).

Mr. Nahorn opened the meeting for public input. Mrs. Alicia Nicely, of 452 Greenlawn, Amherst, spoke about proposed rezoning from Residential to Commercial and the lack of crosswalks from Hot Dog Heaven to Hastee Tastee and the difficulty of pedestrians in making this crossing safely. Her concern is with an increase in traffic, and what was once residential and will be commercial, it will be even more difficult now for residents to cross that intersection now without a crosswalk.

Mr. Chris Russo spoke and thanked everyone for being here at this meeting. He said they have spoken with all the department heads in the city and took in all their considerations and modified the site plan accordingly to everyone's wishes. Back in the day, this used to be commercial anyway. There used to be a gas station there. You could get to Hastee Tastee by moving the crosswalk over. If there are any issues in the future, with the city going back and forth with their suggestions, and taking into consideration everything of all what the department heads wanted, he has no problem sitting down with them in the future and discussing any issues or compromises; whatever they can do to help. With the concerns of pedestrian crosswalks and pedestrian walkway, for an example, they added a fence on the one corner Washington and Cleveland Avenue so people don't cut across the parking lot and actually use the sidewalks. They took into consideration everything they could not only for the City but for Hot Dog Heaven. They even acquired homes to make this easier to rezone.

Mr. Heberling thanked Mr. Russo and Ms. Nicely for their comments. He asked Mr. Russo to clarify what that walkway is going to look like. He mentioned the fence and where is it exactly going to be placed? Mr. Russo said it would be "L" shaped so it would run right along the sidewalk on the corner of Washington and Cleveland Avenue to prevent anyone from trying to cut across the parking lot or cut across any cars in the parking lot so now they would have to go to the end of the sidewalk to the light. They then would have to go to the right, left or go straight. So they thought that was a great idea to control that corner the best we could.

Mayor Costilow thanked Ms. Nicely for coming and noted that this intersection is offset to begin with and has been studied in the past; and there are some crosswalks and you kind of have to go the other way. That road is slated for repaving in 2022 and that's with NOACA federal dollars. So that whole area can be worked and be looked at and he is sure that Mr. Russo will be working with the city. They will look at that in the future so see if any improvements or upgrades can be made to that signalization and signage. They will also piggyback with OPWC funds for that stretch of Cleveland Street. Signage and signals will be upgraded at that time. That's kind of a strange intersection and has been that way for a long time. Not much we can do with the actual crosswalk in front of Hastee Tastee.

Mr. Dembinski noted that on the last pages of the plans that were submitted to the Planning Commission, there is a section there referencing a potential sidewalk between Hastee Tastee and Hot Dog Heaven at an angle that will be looked at later. It looks like there is a potential for something there. This was proposed by the Planning Commission so hopefully this is something that can be revisited later. That would help a lot of people.

Mr. Wachholz thanked Ms. Nicely for being present and he has spoken to the Mayor because he does feel there is a potential for pedestrians to cross safely, but quite frequently he sees students and other pedestrians running across the street from Hastee Tastee to Hot Dog Heaven because it's the shortest path. But it's definitely on our radar and he will make sure that it stays in the light and that we do pay attention to that to make sure that when we do that repaving in 2022 that it is taken care of. However, giving them the option, does not necessarily mean they will take the option. So we have to see what the residents are doing and then make that the safest way possible.

Mr. Dembinski said going back when they studied the safest way to school routes plan that the engineering firm put together, adding a crosswalk there was highly recommended for improvement in the City. Even tho it's not part of the Hastee Tastee ordinance we are

considering tonight, it still should be considered by the City as it was designated as an area for improvement.

Mr. Janik asked if we currently have one of the signals as a button someone can push to designate to be able to cross the street? Mayor Costilow believes it's on the eastern side on the other side by the cemetery. Mr. Janik felt we should definitely address that as an issue. Mayor Costilow said it was studies and will be part of the Cleveland Avenue project study. It has been both recommended that we put it there and that it not be put there. So it will be considered. Mr. Janik urged that this be considered since this will become a heavily accessed area after the grand opening. He thanked Ms. Nicely for attending this evening.

Ms. Nicely noted that you have to cross three streets, not just one street and as pedestrian you can't see which light is green and who has the red light due to the weird lining up of that intersection. So there are actually three streets to cross and no one does that. She lives there and sees all the jay walking; it's dangerous and there is a school on that street.

The Clerk also noted that pursuant to sending out letters to abutting property owners and placing an advertisement in the newspaper notifying about the rezoning, besides Mrs. Nicely, she received only one phone call from Mr. Elisio DeSantis on 1/8/21 of 139 Axtel Street, Amherst, who stated he received letter of notification regarding the rezoning and could not attend the meeting, but had no objection and would "vote with the majority."

Mr. Nahorn closed the Public Hearing at 6:57 P. M.

Olga Sivinski
Clerk of Council