

Chairman Robert Niederpruem called the meeting to order at 7:00 P.M. followed by the Pledge of Allegiance to the Flag led by Sergeant-at-Arms Joseph Sherman.

Roll Call: Present - Robert Niederpruem Jr., Chairman
 Donald Mendola
 Joseph Ciancio
 Anthony Nigro
 Jim Rathman
 Joseph Sherman
 Gerald Greenan
 Jeffrey Schieber, Code Enforcement Officer
 Town Attorney

Absent - None

Chairman Niederpruem read the Fire Prevention Code instructing the public where to exit in case of a fire or other emergency.

APPROVAL OF PROOFS OF PUBLICATION

Motion by Rathman, seconded by Sherman, to receive and file the proofs of publication and posting of legal notice.

Ayes: All Noes: None Motion Carried

APPROVAL OF MINUTES

Motion by Mendola, seconded by Sherman to approve Minutes #2013-12 of December 2013.

Ayes: All Noes: None Motion Carried

APPOINTMENT OF 2014 OFFICERS

Motion by Greenan, seconded by Sherman, that Robert Niederpruem Jr. act as chairman of the West Seneca Planning board until a successor is appointed.

Ayes: All Noes: None Motion Carried

Motion by Greenan, seconded by Ciancio, that Joseph Sherman act as Sergeant-at-Arms for the West Seneca Planning board until a successor is appointed.

Ayes: All Noes: None Motion Carried

NEW BUSINESS COMMUNICATIONS

SPR2014-01

A request from F.J. Wailand Associates Inc. for site plan approval for property located at 1709 Union Road for a 10,800 sf cold storage building.

Chairman Niederpruem stated that the Planning Board has received an application for sight planning approval along with the short form environmental assessment form. Chairman Niederpruem adds to the minutes that the short form environmental assessment form is the old form that since October 7th there is a new form, and will continue with discussion but will table this item at the end so the form and other items can be taken care of.

Frank Wailand of F.J. Wailand Associates presented plans for a 10,800 sf unheated building to the west of this building is Armstrong Brands West Seneca Business since 1992. Armstrong Brands are currently leasing space at another location for their products and approached the owners of Great Lakes Business Park to provide Armstrong a storage facility in closer proximity to their plant where they could more effectively store their product and ship from there. Mr. Wailand states again that the building is a un-heated, non-combustible, building. Strictly storage, no plumbing, no employees either. Need for this is to consolidate their business, for shipping.

Mr. Wailand is proposing an access door so the warehouse fork lift can exit their building and enter the storage building to the west. .

Mr. Sherman asks Mr. Mendola if the NFPA codes for storage, if Styrofoam has any type of mandatory sprinkler system.

Mr. Schieber suggested that being non-combustible, metal, steal building codes do outline exactly what would be in there and to address safety issues limits quantities, dictates storage areas as to how much can be stored for example in a 10x10 area can only be stacked 10 ft high, need to be a separation.

Mr. Wailand counters that not only is it type 2 non combustibile building there is virtually no source of combustion, there is no heat in this building at all just the lighting, also adds that currently the existing building is monitored by Sonitrol for their smoke detectors and will have the same system in the storage facility monitored 24/7.

Mr. Wailand stated that he spoke with John Gullo, Code Enforcement Officer of The town West Seneca and he was okay with their plans for the building.

Code Enforcement Officer Jeffrey Schieber reads letter from West Seneca Engineering Department reviewed by Jason Foot West Seneca town engineer.

Mr. Rathman comments that the survey does not show a ditch or easement. States that a survey will show where the water is heading, to and the elevations of the ditches. He further states there is no point of discharge.

Mr. Wailand states that a new survey will be done.

Chairman Niederpruem concludes, this is a site plan review and will need a SEQR declaration, and the board can not make a SEQR declaration unless we have the current form that went into effect in October 2013. The board can not give it a negative declaration. The board has questions about the current survey, no reference to USGS ties so the board can see as Mr. Rathman said where all the surface water will go. Chairman Niederpruem further states that if in fact the survey shows the storm sewer flow to the south onto the adjoining property, the plan will need to include a proper easement. The site survey will identify the proper drainage solution.

No Comment received by the public.

Motion by Greenan, seconded by Rathman to table this plan pending receipt of a revised environmental assessment form and site survey showing appropriate drainage for this portion of the applicants parcel, not asking for the full area, just the drainage exiting from the new property.

Ayes: All

Noes: None

Motion Carried

SPR2014-02

A request from Silvertip Venture, LLC for site plan approval for property located at 259-281 Orchard Park Road to construct a 1393 sf Tim Hortons Restaurant with dual stack drive-thru.

Chairman Niederpruem stated the board received application for site plan review, current short form Environmental assessment form, abstract of the title, letter from the proposed operations of structure, the engineering report form, detailing volumes in numbers and rate. Also states as part of the SEQR review, the board received documentation from the NYSDEC acknowledging hourly agency status, notice from the New York State Parks and Recreation and Historical Preservation of no standing issues because of the way the current site is configured. Also approval from the Army Corp of Engineers. The letter received from Erie County Highway spoke of about the traffic study, and also mention of a walkway from potter road vocational center across the street.

Patricia Bittar from William Schutt and Associates is the civil engineers working on the proposed Tim Horton's project. Ms. Bittar was accompanied by David from SRF Associates who did the que analysis, representing project applicant Silvertip, LLC, Judy and Fred Stammer. Ms. Bittar presented a slide of the current configuration of the project site at the intersection of Potter Rd and Orchard Park Rd and Loxley Ave. to the north. The plan is a 1393 ft Tim Horton's zoned C-2, nine seats inside capacity, no outside seating or patio. There is duel stack, duel drive through along the north portion of the site and that layout had a 16 car que capacity, 13 parking spaces, reflect access off the

Potter Road and Orchard Park Road's that will eliminate traffic off Loxley Avenue. There will be an increase in green area of 11% to just under 40%, and also a significant decrease of run off rate. Ms. Bittar purposes water, sanitary, sewer service to extend north to Loxley Avenue to the existing 12 inch storm sewer drain.

Chairman Niederpruem states there are questions and concerns about the traffic these facilities generate.

Mr. Rathman states the site plan is fine it's the entering and exiting at that site. The major issue is the left hand turn onto Potter Road and the left hand turn onto Orchard Park Road going north from the site.

David from SRF Associates states that he had contact with Ed Rakowski of the NYS DOT and they are considering limiting the less out with signage, allowing full in and restricting less out to only a right turn out onto Potter Road. David also states their study took a conservative look at single stack drive-through and 16 car que capacity was met at A.M. peak hours.

Ms. Bittar states that if the que should extend beyond where it is proposed and it starts to extend into the parking lot itself, employees will be parking to the furthest north end of the lot, and should not impact patrons dining in for most of the flow is intended for the drive through.

Ms. Bittar further states that based on the study Tim Horton's should be able to handle the maximum que internally.

Code Enforcement Officer Jeffrey Schieber stated that the Building Department reviewed the site plan and has two concerns the fence on the north corner will extend all the way to shield the adjacent neighbors and as a vehicle enters west to the drive through will the lights be on the residents across the street.

Ms. Bittar states the fence will be extended furthest north, the trees around the site will shield any headlights from the residents across the street.

Mr. Greenan comments on the need for snow removal on site.

Ms. Bittar stated that Silvertip Venture LLC has current contract with snow removal companies and will not propose a problem.

Mr. Dave Kims of Covington Drive states this business is going to make a busy intersection to an impossible intersection, not only is Orchard Park Road congested a lot so is Potter Road, to try and make a left off Potter Road into the establishment will be tough, there is a turning lane for people to turn onto Orchard Park Road, if you back up cars waiting to turn into Tim Horton's its going to cause a lot more confusion.

Motion by Chairman Niederpruem, seconded by Greenan to table for additional information for the issues of the left hand turn onto Potter Road and the left hand turn onto Orchard Park Road going north from the site, discussion with the NYSDOT in regards to the signage and a better solutions for the exiting and entering the site plan.

Ayes: All

Noes: None

Motion Carried

2014-01

A request from Diane Howells on behalf of 25 Metcalfe Buffalo LLC for a special permit for property located at 1600 North America Drive, being part of Lot No. 209, changing its classification from M-1 to M-1(S), for a motorcycle safety training facility.

Chairman Niederpruem stated this parcel is in the Town of West Seneca has been deeded as the industrial overlay park. This tract of land was developed for "shovel ready" projects meaning it bypasses the Planning Board and go to industrial overlay review board, which would review it, make recommendations, and refer it directly to the Town Board to make speedy.

Mr. Greenan has a letter with the zoning code.

The Planning Board can not open this parcel up at this time.

ADJOURNMENT

Motion by Greenan, seconded by Ciancio, to adjourn meeting at 7:40 P.M.

Ayes: All

Noes: None

Motion Carried


Rachael Kruszka
Planning Board Secretary