

WEST SENECA TOWN OFFICES
1250 Union Road
West Seneca, NY 14224

WEST SENECA PLANNING BOARD
Minutes #2013-01
January 10, 2013

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
Gerald Greenan
Anthony Nigro
James Rathmann
Joseph Sherman
Jeffrey Schieber, Code Enforcement Officer
Shawn Martin, 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 Mendola, seconded by Rathmann, to receive and file the proofs of publication and posting of legal notice.

Ayes: All

Noes: None

Motion Carried

APPROVAL OF MINUTES

Motion by Ciancio, seconded by Nigro, to approve Minutes #2012-11 of December 13, 2012.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

SPR2012-07

A request from Young Development, Inc. for site plan approval for property located at 810 Union Road, for fifteen (15) 8-unit, 2-story apartment buildings; six (6) garages; one storage building; renovation of existing 5-unit townhouse building; and renovation of a 2-story office building

SPR2012-07 (continued)

Chairman Niederpruem stated that along with the application the Planning Board received an architectural rendering, a site plan, and an environmental impact form. He further stated there was a Supreme Court decision approving the special permit for the project which is now changed from senior housing to residential apartments.

Project Engineer Chris Wood stated the project involved construction of fifteen (15) 8-unit, 2-story apartment buildings, rehabilitation of the existing 5-unit townhouse building, and construction of a 4-unit patio home type building. The existing two-story office building will be demolished and replaced with green space. The storage building proposed for the east side of the site on the original plan was eliminated and replaced with a 5 car garage and green space. A single story clubhouse and pool dedicated to the development has been added to the plan. The driveways and entrance were widened to accommodate fire trucks. There is a sidewalk on the north side of the main entranceway out to Union Road and another sidewalk will be added on the south side of the entranceway to Union Road. Mr. Wood stated that engineering plans were submitted and minor comments were received which they are addressing. A sewer analysis was done and the capacity downstream is sufficient. (check on sidewalk)

Chairman Niederpruem referred to the previous traffic study and questioned if it will be updated. He commented that the number of trips should increase because it is no longer a senior housing project.

Mr. Wood responded that C & S engineers did the original traffic study and will be updating it for the new use, noting the traffic will be less since there are less units. The updated traffic study will be submitted next week.

Brian Young of Young Development stated they are taking out the 15,000 sf building so traffic to and from that office building and from its 30 employees will be eliminated. He commented that the site will have less traffic than what the college had.

Chairman Niederpruem expressed concern about the inlet driveway that he considered to be a road due to the number of units in the development. He commented that cars making a left turn into the area cannot accelerate through oncoming traffic because of the grade of the apron. Chairman Niederpruem further referred to an email received this date from NYSDOT expressing their concern about the widening of the entranceway.

Mr. Wood stated they will be taking a look at that situation but will not widen the curb cut. They would like to change the grade to 3 percent instead of 30 percent and have handicapped ramps on the sidewalks.

Mr. Mendola requested another hydrant in front of building #5 and #14.

SPR2012-07 (continued)

Mr. Wood responded that he had talked to Code Enforcement Officer John Gullo about this and they will be adding those fire hydrants.

Mr. Mendola further referred to the fence behind building #17 and suggested it be placed on the property line. He stated that a resident on Union Road would also like the fence continued to the end of the pavement sign.

Mr. Wood stated the fence was positioned off the property line because he wanted to leave the existing vegetation and large trees. They can extend the fence and will eliminate the part that turns in between the garages.

Mr. Young commented that he does not like fences and had planted 70 spruce trees in that area, but he will move them elsewhere.

Mr. Rathmann noted the width of the roadways at 27' and that the Zoning Ordinance specifies 30'. He thought it will be difficult for schoolbuses to maneuver on site.

Mr. Wood stated he worked this out with Mr. Gullo because they will have to push the buildings back and encroach on the existing trees if the roads are 30'.

Mr. Rathmann stated the best trees are in the center where development is. He suggested moving the buildings and locating them along the driveway. He further stated that the tree survey doesn't show all the trees and they should all be on the plan. The tree survey only shows 89 trees with 40 being removed, when in reality there are 170 trees.

Mr. Young stated only 89 trees are desirable; the rest are not. They have tried to design the project around the trees and NYSEG has also told them where the buildings had to go. Mr. Young stated he is in the nursery business and intends to put in a lot of trees.

Mr. Rathmann understood that the buildings were going to have a Roycroft look, but he thought they looked like a repeat of Fox Trace.

Mr. Young stated he is still working on the front of the building, but they will have a rustic stone look with shake cedar on the arches. The 8-unit buildings will be 2-bedrooms with fireplaces.

Mr. Rathmann questioned the appearance of the garages.

Mr. Wood presented the plan indicating the garages will be 15' at the peak.

SPR2012-07 (continued)

Mr. Rathmann noted a couple instances where the garage is 6' from the building and should be 10'.

Code Enforcement Officer Jeffrey Schieber agreed that the garage for building #9 is closer than 10' and the ordinance calls for a 10' separation for accessory structures.

Mr. Rathmann requested an updated tree survey indicating all the trees on site and a final design for the buildings. He suggested turning building #16 so it faces north and straightening the road which will make it easier to maneuver emergency vehicles and schoolbuses.

Mr. Wood stated there is a Verizon easement that would prevent this from being changed.

Christian Pisanczyn thanked Mr. Young for eliminating the maintenance building, noting his home is located at the northeast corner of the site adjacent to where Park Lane was removed. He requested a revision to the fence on the eastern side of the existing parking lot to prevent headlights from shining in his home. He commented that pine trees are better looking than a fence, but he want privacy. Mr. Pisanczyn questioned where the dumpsters will be located and would like to ensure that nothing is built on the part of Park Lane that runs north of his property.

Mr. Wood indicated on the plan the location of the four dumpsters that will be fenced in with gates.

Mr. Young stated that nothing will be built on Park Lane north of Mr. Pisanczyn's property because nothing fits there. He further agreed to run the fence a foot off the property line.

Arlene Vogt questioned if Mr. Young owns the property on the left of the entrance driveway and if the trees will remain.

Mr. Wood responded that the majority of that land is owned by People Inc. and Mr. Young commented that Mrs. Vogt's view should not change at all other than a couple of dead trees that will have to come down.

Amy Carpenter questioned if there is a specific time frame when the traffic study has to be done.

Mr. Wood stated the field work is done and it is based on the traffic going up and down Union Road. They will just be updating the model.

SPR2012-07 (continued)

Motion by Greenan, seconded by Ciancio, to issue a Negative Declaration with regard to SEQR for the proposed project at 810 Union Road.

On the question, Mr. Rathmann noted the information on the environmental assessment form is incorrect since the project changed.

Mr. Young responded that the proposed project is a downgrade from what was on the form submitted and will have a lesser impact.

Town Attorney Shawn Martin suggested the motion be approved with amendments that coincide with plan.

The motion was amended as follows:

Motion by Greenan, seconded by Mendola, to redact the environmental assessment form to reflect changes made to the project at 810 Union Road and issue a Negative Declaration with regard to SEQR.

Ayes: (6) Mr. Greenan, Mr. Mendola, Mr. Ciancio, Mr. Nigro, Mr. Sherman, Chairman
Niederpruem

Noes: (1) Mr. Rathmann

Motion Carried

Motion by Greenan, seconded by Mendola, to grant site plan approval for the proposed project at 810 Union Road conditioned upon the following: 1) addition of hydrants at building #5 & #14; 2) construction of a privacy fence along the east property line to the north line of property at 900 Union Road; 3) nothing adverse found in the traffic study that traffic will be increased more than the original proposal; 4) approach to Union Road will be at a grade not exceeding 3 percent.

On the question, Mr. Rathmann requested that an updated tree survey be added as a stipulation in order to determine the monetary amount required or the number of new trees that will be planted on site.

Mr. Greenan was not in favor of requiring an updated tree survey based on the possibility of risking a contempt of court citation.

Ayes: (6) Mr. Greenan, Mr. Mendola, Mr. Ciancio, Mr. Nigro, Mr. Sherman, Chairman
Niederpruem

Noes: (1) Mr. Rathmann

Motion Carried

2013-A

A request from Walter Kolkiewicz of Homes by Walter for preliminary approval of the proposed Veronica Estates Subdivision for 21 lots.

Chairman Niederpruem stated this subdivision was before the Planning Board 2½ years ago and a change was made from 22 to 21 lots.

Tim Arlington of Apex Consulting stated that two environmental studies were done – a wetlands delineation and a cultural resources study. The revised plan reflects the impact of federal wetlands and removal of ½ acre that included Lot #22. A mitigation study was also done by Earth Dimensions and approved by the Army Corps of Engineers.

Motion by Greenan, seconded by Ciancio, to continue preliminary approval for the proposed 21-lot Veronica Estates Subdivision for an additional six months.

Ayes: All

Noes: None

Motion Carried

SPR2013-01

A request from F.J. Wailand Associates Inc. for site plan approval for property located at 3 North America Drive for a drive-thru window for ice cream service.

Chairman Niederpruem stated that along with the application the Planning Board had received a survey, a site plan and a rendering.

Frank Wailand of F.J. Wailand Associates Inc. stated the proposal for a drive-thru window at 3 North America Drive. Six parking spaces on the north side of the property will be removed allowing for seven car stacking on site. Vehicles will exit from the south parking area. There are 42 parking spaces remaining on site and if they find additional stacking room is needed, they will remove the rest of the parking in the front. Mr. Wailand noted the busy hours for this business are in the evening and they do not have the traffic pattern of a Tim Horton's. The look will be similar to the existing structural appearance.

Mr. Mendola thought the stacking area was sufficient but commented on a need for good signage exiting site.

No comments were received from the public.

Motion by Greenan, seconded by Mendola, to grant site plan approval for property located at 3 North America Drive for a drive-thru window for ice cream service according to the plan submitted.

Ayes: All

Noes: None

Motion Carried

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ELECTION OF OFFICERS FOR 2013

Motion by Sherman, seconded by Mendola, that Robert Niederpruem Jr. be reappointed as Chairman of the West Seneca Planning Board.

No other nominations were received and the Secretary was asked to cast one ballot for Robert Niederpruem Jr. as Chairman.

Chairman Niederpruem appointed Donald Mendola as Vice Chairman and Joseph Sherman as Sergeant-at-Arms for the West Seneca Planning Board.

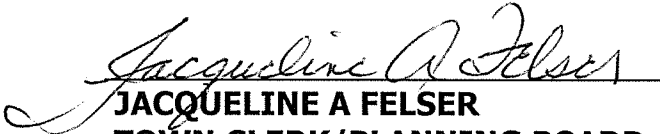
ADJOURNMENT

Motion by Greenan, seconded by Ciancio, to adjourn the meeting at 8:05 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER
TOWN CLERK/PLANNING BOARD
SECRETARY