

TOWN OF WEST SENECA

APPLICATION FOR REZONING – SPECIAL PERMIT

TO BE COMPLETED BY APPLICANT

DATE 3/7/14 FILE # 2014-04
PROJECT NAME 3859, 3863 and 3869 Clinton Street Patio Homes

PROJECT LOCATION (Include address and distance to nearest intersection) 3859, 3863 E, 3869 Clinton St.

APPLICANT George Kallas PH/FAX 633-3714

ADDRESS 4101 Thornwood Lane, Williamsville, NY

PROPERTY OWNER PARCEL'S 3859 & 3863 ZBIGNIEW BIELINSKI PARCEL 3869 GEORGE Z. PITTA PH/FAX _____

ADDRESS 4891 CLINTON ST. W. SENECA, NY 14224 4654 BROMPTON DR. BLASDELL, NY 14219

ENGINEER/ ARCHITECT MICHAEL J. METZGER, P.E. PH/FAX 633-2601 / 633-2704

ADDRESS METZGER CIVIL ENGINEERING, 8500 MAIN STREET, WILLIAMSVILLE, NY 14221

SBL # 125.17-6-41, 125.17-6-40, AND 125.17-6-24.122

PROJECT DESCRIPTION (Include all uses and any required construction)

PATIO HOME DEVELOPMENT

SIZE OF LOT (acres) 4.97 ACREAGE TO BE REZONED 4.97

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

CLINTON STREET (300' FRONTAGE)

EXISTING ZONING R-65, R100A PROPOSED ZONING R-50(S)

EXISTING USE(S) ON PROPERTY VACANT LAND

PROPOSED USE(S) ON PROPERTY PATIO HOME DEVELOPMENT

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET
EXISTING USE(S): SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, COMMERCIAL

EXISTING ZONING ^{W/IN 500'}: R-65, R-100A, R-50(S), C-1, C-2(S)

PUBLIC SEWER YES NO PUBLIC WATER YES NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED 03/14/2014 BY J. Felser

PLANNING BOARD MEETING DATE _____

TOWN BOARD MEETING DATE 08/11/2014

TOWN BOARD RESOLUTION DATE _____

NON – REFUNDABLE FILING FEE (Payable to the Town Clerk): \$ 2050⁰⁰

METZGER CIVIL ENGINEERING, PLLC

March 7, 2014

Planning Board
Town of West Seneca
1250 Union Road
West Seneca, NY 14224

Re: 3859, 3963 and 3869 Clinton Street
Rezoning

Honorable Board Members:

Enclosed please find 20 copies each of the following in support of a rezoning application for the subject property, referred to you by the Town Board on October 17, 2013:

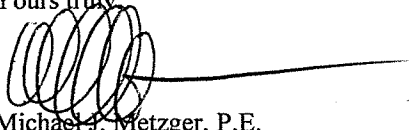
- 1) Concept plan CP-4 dated March 3, 2014 in 11" x 17" size
- 2) Legal description
- 3) Rezoning application
- 4) SEQR short form EAF
- 5) Possible house plans in 11" x 17" size

On behalf of our clients, we respectfully request consideration of a rezoning of the property from R-65 and R-100A to R-50(s). Eventually we will be seeking a Special Permit and Site Plan Approval but obviously prior to those steps we ask for the property rezoning.

The project would entail approximately 20 patio homes on a private road served by sanitary sewers and potable water. Stormwater would be managed through an on-site private stormwater detention pond that would be owned and maintained by a homeowners association. We have made an assessment of existing trees on site and concluded that the density and needed construction to provide proper grading and drainage of the home sites and infrastructure would make it virtually impossible to preserve many, if any, trees. This assessment has also concluded that there are very few trees of any significance found on the property presently.

We respectfully ask to be placed on your April 10th agenda for consideration of this rezoning request. In the meantime, should you have any questions, please contact the undersigned.

Yours truly,



Michael J. Metzger, P.E.

MJM:d
Enc.

CC. John Gullo
George Kallas
Jeffrey Schieber
Leo Sitarek, Jr.

z:\mce\m1338 clinton\correspondence\westsenecaplanningboard.03-07-14.let.doc

8560 Main Street, Suite 3, Williamsville, NY 14221

Phone 716-633-2601/Fax 716-633-2704

SUGGESTED LEGAL DESCRIPTION
3859, 3863 AND 3869 CLINTON STREET

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York, being part of Lots 305 and 313, Township 10 and Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING AT A POINT in centerline of Clinton Street, which point is also the intersection of Clinton Street and Northwood Avenue;
RUNNING THENCE: Westerly, a distance of 150.0 feet to a point; thence south, a distance of 781.0 feet to a point in Buffalo Creek;
RUNNING THENCE: Easterly, along a line in Buffalo Creek, a distance of 307.0 feet to a point;
RUNNING THENCE: North, a distance of 758.0 feet to a point in the centerline of Clinton Street;
RUNNING THENCE: West, along the centerline of Clinton Street, a distance of 150.0 feet to the POINT OR PLACE OF BEGINNING; containing 5.20 Acres.

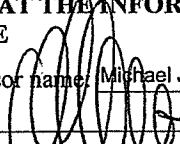
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Patio Home Development			
Name of Action or Project: 3859, 3863, 3869 Clinton Street			
Project Location (describe, and attach a location map): 3859, 3863 and 3869 Clinton Street, West Seneca, NY			
Brief Description of Proposed Action: Request rezoning of vacant parcels 3859, 3863 and 3869 Clinton Street (totaling 4.97 +/- acres of land) from the current Zoning Classifications of R-65 and R-100A to a proposed Zoning Classification of R-50(s) for the proposed Patio Home Development.			
Name of Applicant or Sponsor: Michael J. Metzger, P.E. - Metzger Civil Engineering		Telephone: 716.633.2601	
		E-Mail: meteng@roadrunner.com	
Address: 8560 Main Street			
City/PO: Williamsville		State: New York	Zip Code: 14221
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYSDEC: Sewer Approval, SPDES Stormwater Permit; NYSDOT: Highway Work Permit; ECDOH: Sewer & Water Approval			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 4.97 acres	
b. Total acreage to be physically disturbed?		_____ 4.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 4.97 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Vacant</u> <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ Stormwater Management - Wet Detention Pond to be sized in accordance with NYS Stormwater Management Design Manual	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Michael J. Metzger, P.E. - Metzger Civil Engineering	Date: 3/7/14	
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Response to check box 2-

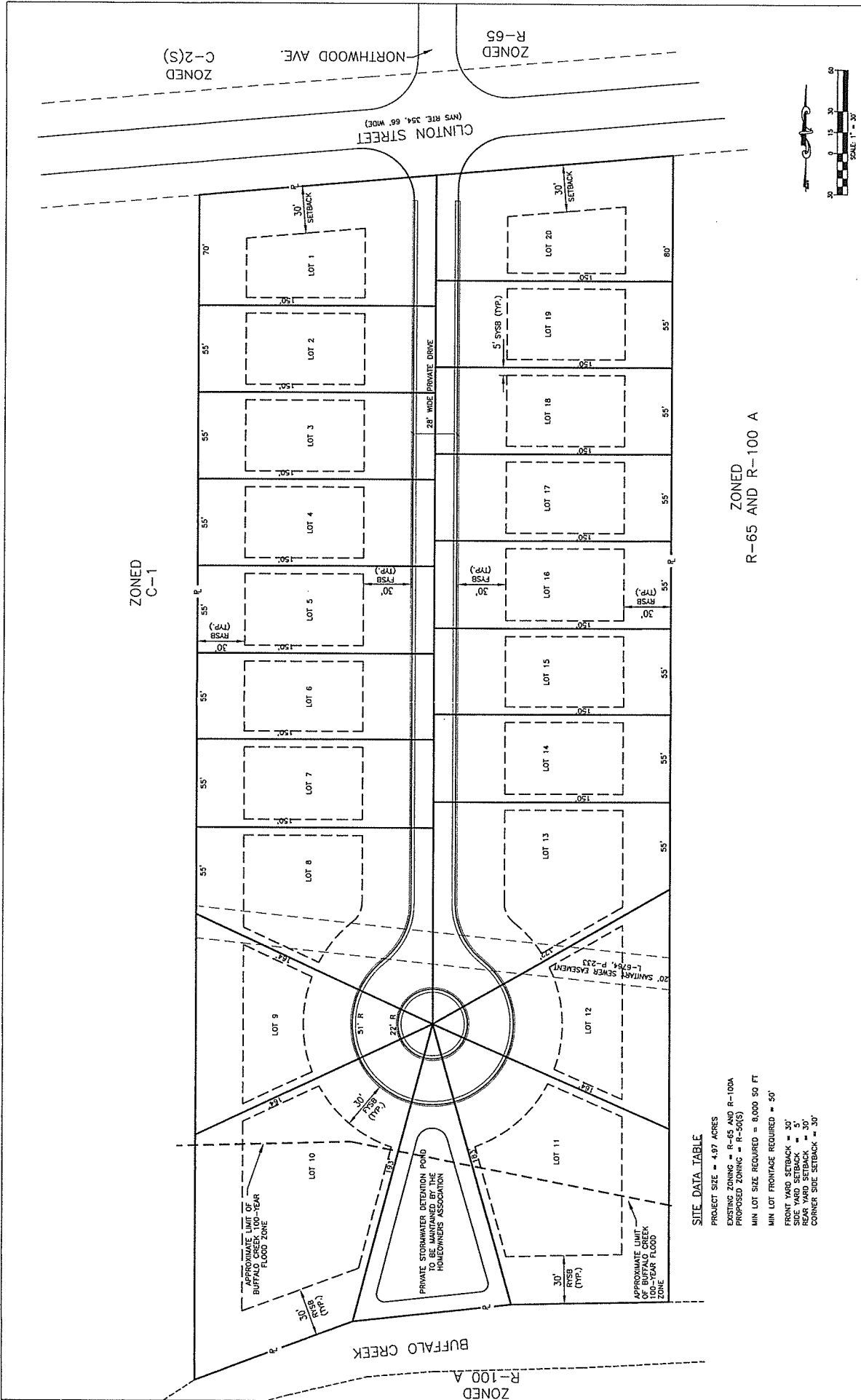
The proposed project will create an intensity in land use. Currently, only 1 residential use is permitted on each parcel, for a total of 3 separate dwellings. The proposed project is calling for a 20 lot development.

Response to check box 9-

The property is currently undeveloped. The project is also located within the 100 year flood plain.

<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>TOWN OF WEST SENeca</u>	<u>3/10/14</u>
Name of Lead Agency	Date
<u>TIFFRAY A SCHEDER</u>	<u>CODE ENFORCEMENT OFFICER</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



SITE DATA TABLE

PROJECT SIZE = 4.97 ACRES
 EXISTING ZONING = R-65 AND R-100A
 PROPOSED ZONING = R-50(S)
 MIN LOT SIZE REQUIRED = 6,000 SQ FT
 MIN LOT FRONTAGE REQUIRED = 50'
 FRONT YARD SETBACK = 30'
 SIDE YARD SETBACK = 30'
 REAR YARD SETBACK = 30'
 CORNER SIDE SETBACK = 30'

NOTES:

- THIS CONCEPT PLAN IS BASED ON THE COUNTY RECORD MAP AND THE DIMENSIONS SHOWN THEREIN. DIMENSIONS SHOULD BE CONSIDERED TO BE APPROXIMATE.
- THIS IS NOT A PROPERTY SURVEY.

Prepared By: [Blank] Date: [Blank]
 Drawn By: [Blank] Date: [Blank]
 Checked By: [Blank] Date: [Blank]
 Cost File: [Blank]

NOT RECORDED APPROVED ON [Blank]
 APPROVED BY [Blank]
 COUNTY OF [Blank]

DATE: [Blank] TIME: [Blank]
 BY: [Blank]

3859,3863,3869 CLINTON ST.
PATIO HOME DEVELOPMENT
 TOWN OF WEST SEBECA, ERIE COUNTY, NEW YORK

CP-4
CONCEPT PLAN

© 2013 Metzger Civil Engineering, PLLC

MEZGER CIVIL ENGINEERING, PLLC
 3859 MAIN ST.
 WILLIAMSVILLE, NY 14221
 PHONE: 716-633-2601
 FAX: 716-633-2704

PROJECT NO.: [Blank]
 SHEET NO.: [Blank] OF [Blank]

DATE: [Blank] TIME: [Blank]
 BY: [Blank]

LAND DESIGN
 SITE DESIGN
 MUNICIPAL ENGINEERING

SCALE: 1" = 30'
 0 15 30 45 60

NORTH

1" = 20'
 DATE: OCTOBER 2, 2013
 SHEET NO.: [Blank] OF [Blank]

