

August 24, 2021

Town of West Seneca Planning Board  
c/o Jeffrey Schieber  
Code Enforcement Officer  
1250 Union Road, Room 210  
West Seneca, NY 14224

RE: Burger King (1997-2003 Ridge Road) – Change of Zone Petition

Dear Members of the Planning Board,

On behalf of our Client, JSC Management Group, LLC, we are enclosing the rezoning application and supporting information for the above-referenced property for change of zone. Based on our review of the Town zoning map, we are requesting a change of zone from R-60A Residential to C-2 Commercial, which would be an extension of the zone across the roadway.

The proposed project includes demolition of the existing houses and construction of a new Burger King restaurant with an associated drive-thru. This includes a  $\pm 2,730$  SF building with associated sitework including site access and proposed cross-access with the medical center to the south. The tentative business hours are 7 AM to 12 AM. The survey of the site is in progress and will be submitted for the planning board meeting.

As required, we are submitting hard copies of the following items for your review and consideration:

- Letter of Intent
- Zoning Review Fee
- Change of Zone Petition
- Owner Authorization Letters
- Short Form EAF
- Site Plan
- Property Survey
- Legal Description

We are requesting to be placed on the September 9<sup>th</sup>, 2021 Planning Board agenda for rezoning review of the project, with the hope to achieve referral to Town Board for Change of Zone Approval. Should you have any comments, questions, or are in need of additional information, please feel free to contact me at (585) 742-2222.

Sincerely,

*Todd Markevicz*

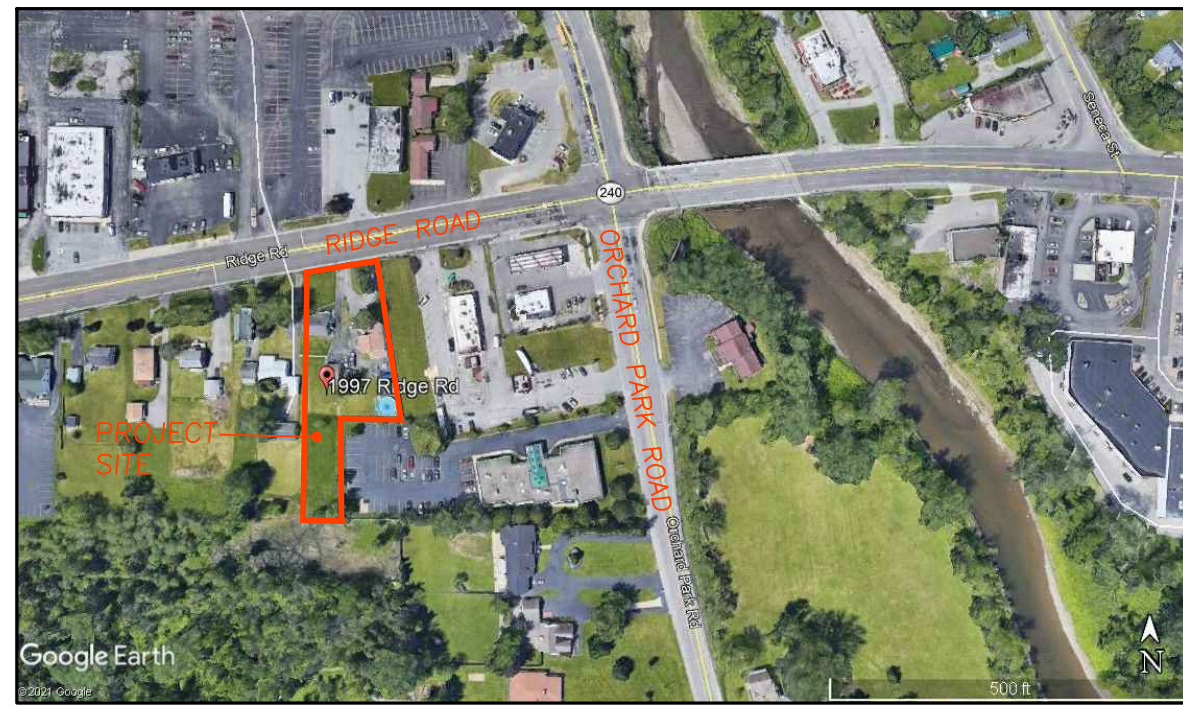
Todd Markevicz, P.E.  
Owner/Member

Headquarters

615 Fishers Run, Victor, NY 14564  
phone 585.742.2222 • fax 585.924.4914  
web [www.apd.com](http://www.apd.com) • email [info@apd.com](mailto:info@apd.com)

Office Locations

P.O. Box 11626, Santa Ana, CA 92711 • phone/fax 714.987.1380



VICINITY MAP  
(NOT TO SCALE)

RECORD DESCRIPTIONS:

No. 1997 Ridge Road  
Liber 11134, Page 9130  
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 Lot No. 296, Township 10, Range 7 of the Buffalo Creek Reservation and described as follows:

BEGINNING at a point in the south line of said lot, 765.10 feet east of the west line of said lot; running thence easterly along the south line of said lot, 58.80 feet; thence northerly parallel with the west line of said lot, 349 feet to the south line of Ridge Road; thence westerly along the southern line of Ridge Road 59.83 feet to a line drawn parallel with the west line of the lot from the place of beginning; thence southerly along said parallel line 340.79 feet to the south line of said lot at the place of beginning. Together with all right, title and interest of, in and to any streets and roads abutting the above-described premises.

No. 2003 Ridge Road  
Liber 11079, Page 2477  
ALL That Tract Or Parcel Land, situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot Number 296, Township 10, Range 7 of the Buffalo Creek Reservation bounded and described as follows:

BEGINNING at a point in the southerly line of Ridge Road distant three hundred ten (310) feet westerly from the intersection of said line of Ridge Road with the westerly line of Orchard Park Road, as measured along said line of Ridge Road, thence southerly parallel to the Orchard Park Road, two hundred twenty and ten hundredths (220.10) feet to lands conveyed by Herbert A. Davis by deed recorded in Liber 1304 of deeds at page 7, thence westerly and parallel to the southerly line of Lot No. 296 a distance of eight-seven and fifty six hundredths (87.56) feet to the westerly line of lands conveyed to John J. Depler by deed recorded in Liber 800 of Deeds at page 495, thence northerly along said westerly line two hundred seven and eighteen hundredths (207.18) feet to the south line of Ridge Road, thence easterly along the south line of Ridge Road, forty-seven (47) feet to the place of beginning.

Note: the southerly course is missing in the supplied deed description.

PARCEL AREAS:  
SBL 143.06-1-11 = 0.467± ACRES  
SBL 143.06-1-12 = 0.327± ACRES

PARCEL ZONING:  
ZONING INFORMATION HAS NOT BEEN SUPPLIED TO THE SURVEYOR AT TIME OF SURVEY.

FLOOD ZONE CLASSIFICATION:  
PARCEL IS LOCATED IN ZONE "X" AREA OF MINIMAL FLOOD HAZARD" PER FEMA FLOOD INSURANCE RATE MAP NO. 36029C0334H, EFFECTIVE DATE JUNE 7, 2019.

TABLE "A" NOTES:  
ITEM 15: THERE WAS NO RECTIFIED ORTHOPHOTOGRAPHY, PHOTOGRAMMETRIC MAPPING, REMOTE SENSING, AIRBORNE/MOBILE LASER SCANNING USED FOR THIS SURVEY  
ITEM 16: THERE WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK  
ITEM 17: NO INFORMATION REGARDING PROPOSED CHANGES TO STREET RIGHT OF WAY LINES WAS PROVIDED TO THE SURVEYOR  
ITEM 18: NO PLOTTABLE EASEMENTS DISCLOSED IN DOCUMENTS WERE SUPPLIED TO THE SURVEYOR

COMMITMENT FOR TITLE INSURANCE:  
TITLE POLICY AND TITLE SEARCH PROVIDED BY XXXX

SURVEY REFERENCES  
TAX MAP 143.06  
LIBER 11079, PAGE 2477 (NO. 1997 RIDGE ROAD)  
LIBER 11134, PAGE 9130 (NO. 2003 RIDGE ROAD)  
LIBER 10876, PAGE 3073 (SBL 143.06-1-18.11)

WARNING: ALTERING THIS DOCUMENT IS IN VIOLATION OF THE LAW EXCEPTING AS PROVIDED IN SECTION 7209, PART 2 OF THE NEW YORK STATE EDUCATION LAW.

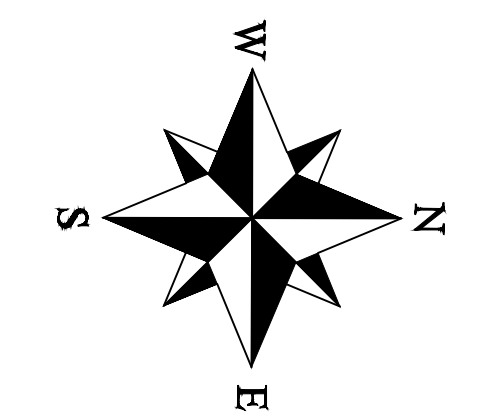
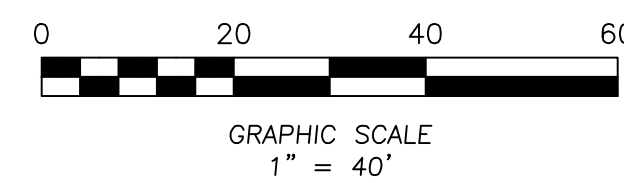
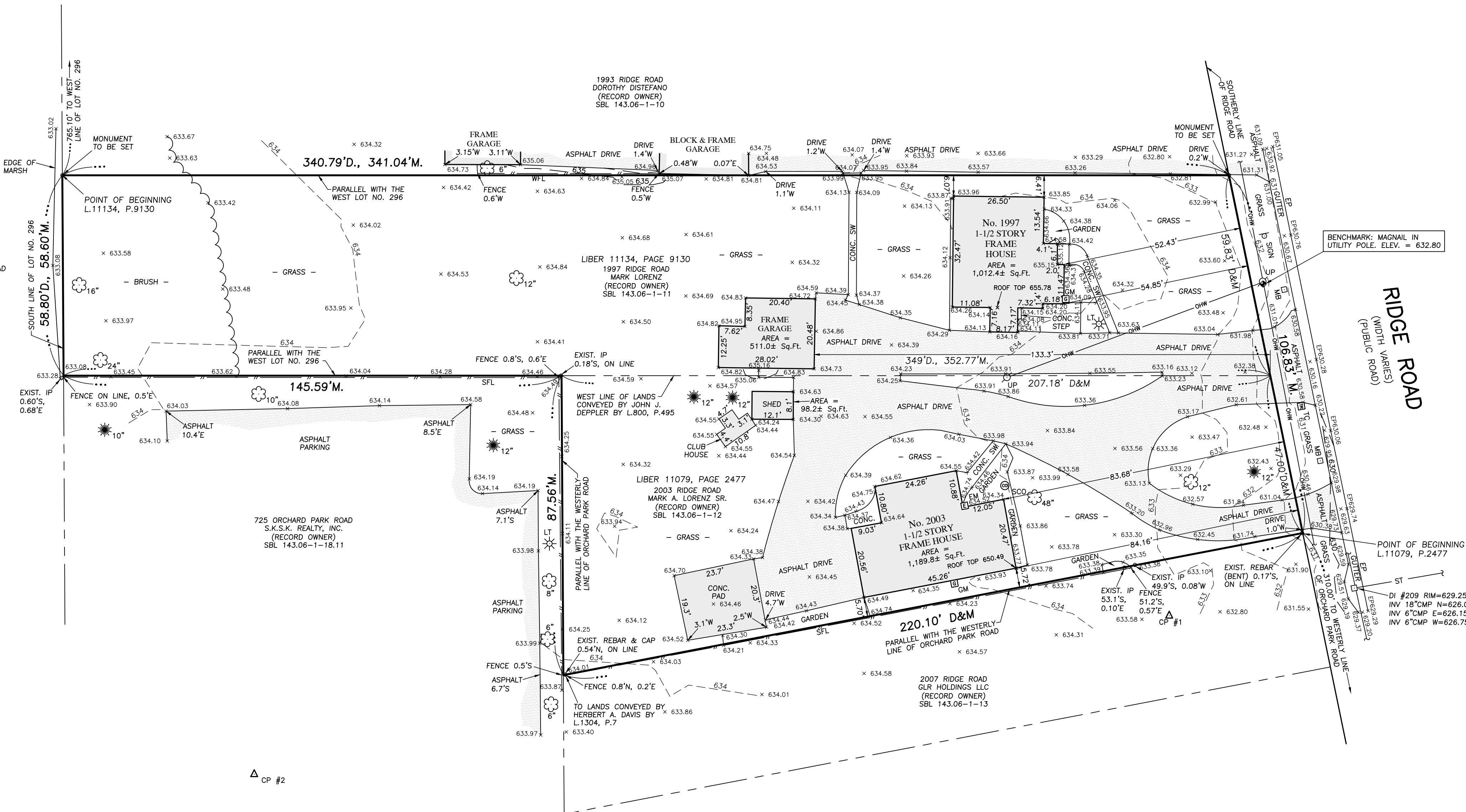
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATEMENT OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

NOTE: THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

SURVEY CONTROL  
VERTICAL DATUM = NAVD88 (GEOID 18)  
HORIZONTAL DATUM = NAD83 (2011)

Point	Northing	Easting	Elevation	Description
1	1030891.6820	1096228.3090	633.32	REBAR & CAP
2	1030623.0008	1096267.0161	633.56	MAG NAIL
3	1030741.4641	1096520.6404	632.55	MAGNAIL

ALL UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE. BEFORE YOU DIG, DRILL, OR BLAST, CALL DIG SAFELY NEW YORK AT 1-800-962-7962



LEGEND

CLF	—/—/—	CHAIN LINK FENCE
SFL	—/—/—	STOCKADE FENCE
WFL	—/—/—	WIRE FENCE
MB	□	MAIL BOX
	□	SIGN
	⊗	TREE DECIDUOUS
—G—	—	GAS LINE
GM	⊞	GAS METER
GV	⊞	GAS VALVE
DI	□	DRAINAGE INLET
—ST—	—	STORM SEWER LINE
SCO	⊞	SEWER CLEANOUT
—SA—	—	SANITARY SEWER LINE
INV	⊞	INVERT ELEVATION
TC	⊞	TRAFFIC CONTROL BOX
LIGHT	⊞	LIGHT STANDARD
EM	⊞	ELECTRIC METER
UP	⊞	UTILITY POLE
—OHW—	—	OVERHEAD WIRES
—UE—	—	UNDERGROUND ELECTRIC
—UT—	—	UNDERGROUND TELEPHONE
—W—	—	WATER LINE
CONC.	—	CONCRETE
SW	—	SIDEWALK
EP	—	EDGE OF PAVEMENT
D&M	—	DEED AND MEASURED
CP	⊞	PRIMARY CONTROL POINT
BM	⊞	BENCHMARK

CERTIFICATION:

To:

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1,2,3,4,5,6a,6b,7a,7b,7c,8,9,11(a),11(b),13,14,15,16,17,18 and 19 of Table A thereof. The field work was completed on 8/12/2021.

Date of Plat or Map: \_\_\_\_\_

Signed: \_\_\_\_\_

Rosanne Frandina, PLS, PE  
New York State License No. 50510

PRELIMINARY  
OUT FOR REVIEW 8/20/2021

NO. 1997 RIDGE ROAD ~ SBL NO. 143.06-1-11  
NO. 2003 RIDGE ROAD ~ SBL NO. 143.06-1-12

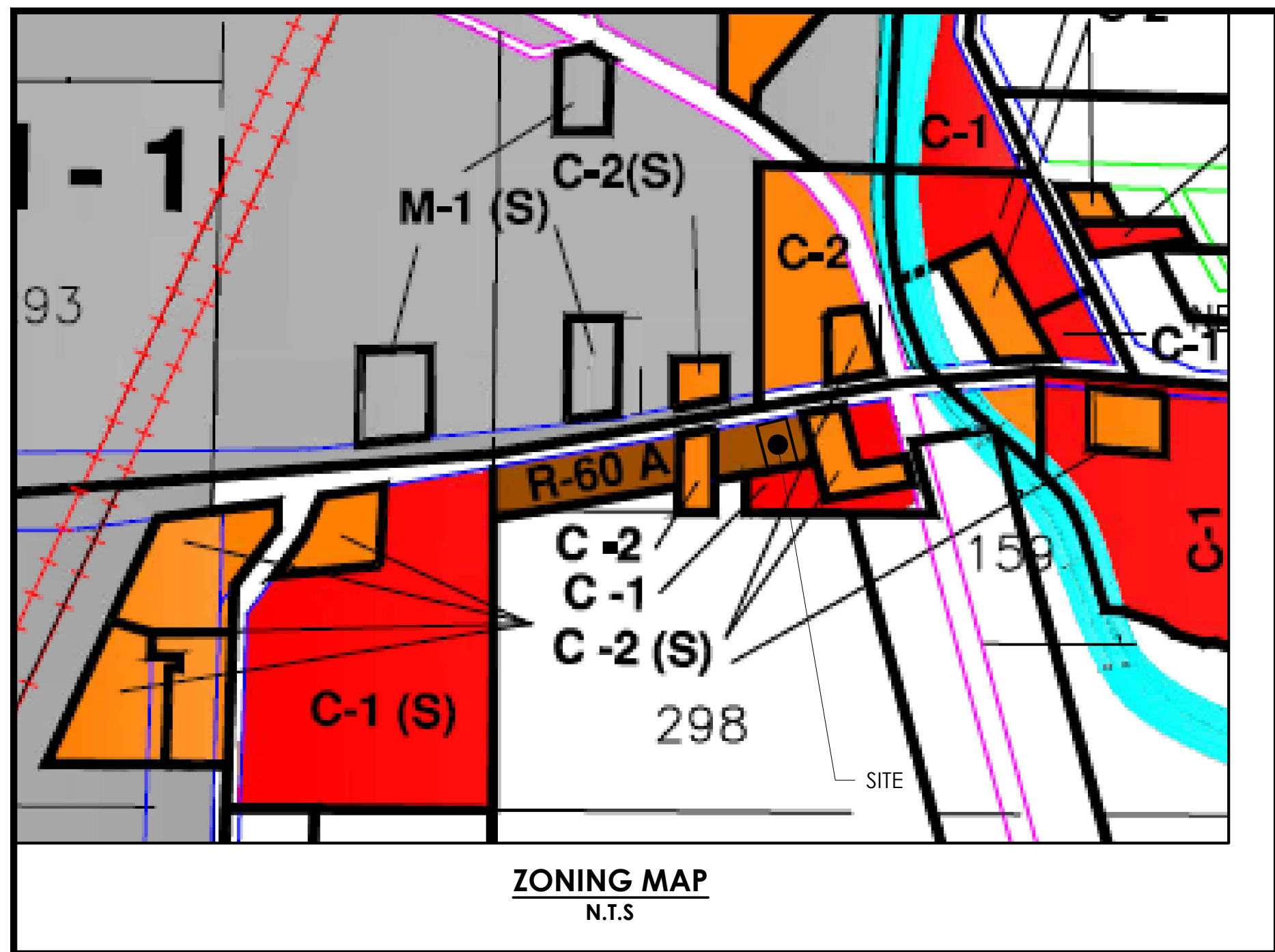
DATE OF SURVEY	DATE OF REVISION	COMMENT	INT.

This map void unless Embossed with New York State Licensed Land Surveyors Seal No. 50510  
Rosanne Frandina, PE, LS

**ALTA/NSPS LAND TITLE SURVEY**  
PART OF LOT 296, TWP 10, RGE 7  
OF THE BUFFALO CREEK RESERVATION  
TOWN OF WEST SENECA  
COUNTY OF ERIE ~ STATE OF NEW YORK

**FRANDINA ENGINEERING and LAND SURVEYING, PC**  
CIVIL ENGINEERS and LAND SURVEYORS  
1701 Hertel Avenue, Buffalo, New York 14216  
Phone: (716) 883-1299  
www.FRANDINA.com

DATE : 8/12/2021 SHEET : 1 OF 1 DWN BY : MJC  
JOB NO.: 4775 SCALE : 1" = 20' CHK'D BY : RF



0 15 30 60 90  
Graphic Scale: 1"=30'

AS REQUIRED BY NEW YORK STATE LAW, CONTRACTOR SHALL CONTACT "DIG SAFELY NEW YORK" (UFPD) @ 1-800-962-7962 FOR LOCATION STAKE-OUT OF ALL UTILITIES, AT LEAST 2 FULL WORKING DAYS PRIOR TO ANY EXCAVATION.

**REFERENCE:**  
1. CONNECTEXPLORER ONLINE ORTHOGRAPHIC HI-RES IMAGERY BY EAGLEVIEW DATED 05/02/20.

NORTH

Issued:	Date:
A	
B	
C	
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Revisions:	Date:
1	
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Seal 08/09/21 Seal  
CIVIL ENGINEER OF RECORD  
Name: Todd G. Markevitz  
New York License No.: 080577  
Exp. Date: November 30, 2023  
Firm Reg. No.: 0014815  
Exp. Date: December 31, 2023

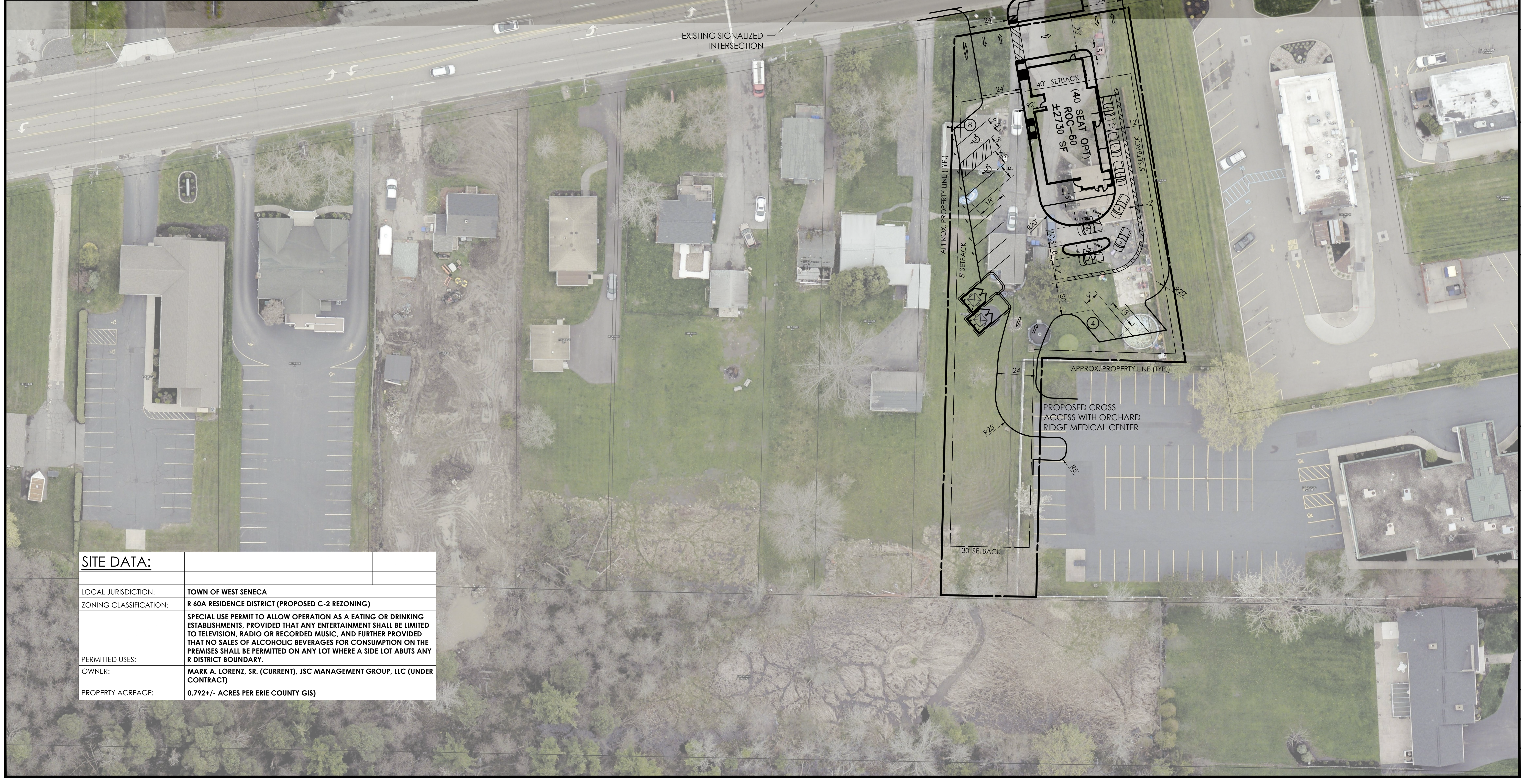
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A.P.D. Engineering & Architecture PLLC  
Drawing Alteration  
It is a violation of law for any person, unless acting under the direction of licensed Architect, Professional Engineer, Landscape Architect, or Land Surveyor to alter any item on this document in any way. Any licensee who alters this document is required by law to affix his or her seal and to add the notation "Altered By" followed by his or her signature and the specific description of the alteration or revision.  
**DO NOT SCALE PLANS**  
Copying, Printing, Software and other processes required to produce these prints can stretch or shrink the actual paper or layout. Therefore, scaling of this drawing may be inaccurate. Contact Engineer of Record with any need for additional dimensions or clarifications.

615 Fishers Run Victor, NY 14564  
585.742.2222 - www.apd.com

**Burger King**  
JSC MANAGEMENT GROUP  
ATTN: JAMES CAMILLERI  
BURGER KING FRANCHISEE  
585.755.3950

**Burger King** Store #:  
S.B.L. No. 143.06-1-11 & 12  
1997 & 2003 Ridge Road  
West Seneca, NY 14224  
Erie County (Town of West Seneca)  
Project Name & Location:

**Site Plan**  
Drawing Name:  
Date: 06/30/21 Project No. 21-0239  
Type: Sketch  
Drawn By: DJL SK5  
Scale: 1"=30' Drawing No.



<b>SITE DATA:</b>	
LOCAL JURISDICTION:	TOWN OF WEST SENECA
ZONING CLASSIFICATION:	R 60A RESIDENCE DISTRICT (PROPOSED C-2 REZONING)
PERMITTED USES:	SPECIAL USE PERMIT TO ALLOW OPERATION AS A EATING OR DRINKING ESTABLISHMENTS, PROVIDED THAT ANY ENTERTAINMENT SHALL BE LIMITED TO TELEVISION, RADIO OR RECORDED MUSIC, AND FURTHER PROVIDED THAT NO SALES OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES SHALL BE PERMITTED ON ANY LOT WHERE A SIDE LOT ABUTS ANY R DISTRICT BOUNDARY.
OWNER:	MARK A. LORENZ, SR. (CURRENT), JSC MANAGEMENT GROUP, LLC (UNDER CONTRACT)
PROPERTY ACREAGE:	0.792 +/- ACRES PER ERIE COUNTY GIS)

# TOWN OF WEST SENECA

## APPLICATION FOR REZONING – SPECIAL PERMIT

### TO BE COMPLETED BY APPLICANT

DATE 08/06/2021

FILE # \_\_\_\_\_

PROJECT NAME Proposed Burger King Restaurant

PROJECT LOCATION (Include address and distance to nearest intersection)  
1997-2003 Ridge Road +/- 380 ft to Ridge Rd & Orchard Park Rd

APPLICANT JSC Management Group PH/FAX 585-735-7198

ADDRESS PO Box 217 Lyndonville, NY 14098

PROPERTY OWNER Jan Co Central, Inc. PH/FAX 401-946-4000

ADDRESS 35 Sockanosset Cross Rd., Cranston, RI 02920

ENGINEER/ ARCHITECT APD Engineering & Architecture, PLLC PH/ FAX 585-742-2222

ADDRESS 615 Fishers Run, Victor, NY 14564

SBL # 143.06-1-11 and 143.06-1-12

PROJECT DESCRIPTION (Include all uses and any required construction)

New +/- 3,500 SQ FT restaurant with double drive-thru and associated parking

SIZE OF LOT (acres) 0.4605 ac+0.3318ac ACREAGE TO BE REZONED 0.7923 ac  
= 0.7923 ac

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH  
59.83 ft of frontage on Ridge Road (143.06-1-11)

47 ft of frontage on Ridge Road (143.06-1-12)

EXISTING ZONING R-60A PROPOSED ZONING C-2

EXISTING USE(S) ON PROPERTY Residential homes

PROPOSED USE(S) ON PROPERTY Commercial restaurant

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET

R-60A - Residential // C-1 - Orchard Ridge Medical Center & Sunoco Gas Station // C-2 - Chiropractic Office, Oral & Maxillofacial Surgery Office, Tax preparation service, Paint store // C-2 (S) - Existing Wendy's Restaurant, Verizon store, Used car dealer // M-1 - Retail store parking lot

PUBLIC SEWER YES  NO

PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

TBD, Site Plan Approval required

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

### TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED \_\_\_\_\_ BY \_\_\_\_\_

PLANNING BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD RESOLUTION DATE \_\_\_\_\_

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

TOWN OF WEST SENECA

APPLICANT CHECKLIST FOR SITE PLAN REVIEW

PLEASE REFER TO APPENDICES A, B, & C AND THE TOWN OF WEST SENECA ZONING ORDINANCE FOR ADDITIONAL DESIGN INFORMATION. THE APPLICANT/ AGENT MUST INITIAL EACH ELEMENT AS PROOF THAT ALL REQUIREMENTS HAVE BEEN MET.

I. **SITE PLAN** All site plan drawings shall be prepared, signed, and sealed by an architect, landscape architect, engineer, or surveyor licensed in the State of New York, drawn to scale, and must include the following elements (also see checklist in Appendix A) :

Title of drawing.

Name, address, and telephone number of applicant, owner of record, and person who prepared the drawing. If owner of record is different from applicant, a letter of authorization from the owner or a contract of sale is required.

North arrow, scale, revisions block and date.

Site location map.

Name, location, width, and jurisdiction of existing roads and sidewalks.

Location of curb cuts on project site and on adjacent properties (including properties across the street).

Location of all existing and proposed buildings and structures, paving, curbs, and pedestrian and bicycle facilities with those to be removed clearly identified.

Show all zoning district boundaries, zoning classifications for all adjacent properties (including across the street), and zoning setback dimensions. If a portion of the site is proposed to be rezoned, the new zoning district boundaries should be shown.

Zoning data block comparing existing and proposed requirements, including greenspace and parking calculations.

Location of any areas proposed for outdoor display and sale of merchandise, if applicable.

Layout of all off-street parking areas showing access drives, aisles, parking spaces, handicapped accessible spaces, and loading areas (conforming to all requirements of the Town of West Seneca Zoning Ordinance). A cross-section of proposed pavement must be provided.

Existing and proposed rights-of-way and easements and location of areas to be in common ownership or to be offered for dedication.

Existing and proposed watercourses including wetlands, floodways, and floodplains (this information should also appear in the drainage plan and grading plan).

Location of all proposed signage (conforming to all requirements of the Town of West Seneca Zoning Ordinance).

Any other information as might be required by the Planning Board.

**VI. LANDSCAPING PLAN** – to include the following elements (also see Appendix C).

\_\_\_\_\_ All existing and proposed tree lines.

\_\_\_\_\_ All proposed trees, shrubs, and other plantings with appropriate labeling.

\_\_\_\_\_ Planting schedule data block with legend key, species name (botanical and common names), quantity, size, and spacing.

\_\_\_\_\_ Planting details for trees and evergreens must illustrate the crown of root ball at six (6) inches above finished grade; three (3) inches for shrubs.

\_\_\_\_\_ Refer to the Town of West Seneca Zoning Ordinance for applicable landscaping and screening requirements.

**VII. CLEARING 7 SOIL EROSION CONTROL PLAN** - to include the following elements:

\_\_\_\_\_ Site preparation and clearing shall be designed to fit with the vegetation, topography, and other natural features of the site and shall preserve as many of these features of the sight and shall preserve as many of these features as possible.

\_\_\_\_\_ Show clearing limits, stock pile area, and all temporary and permanent drainage facilities. Erosion and sediment control facilities must be shown.

\_\_\_\_\_ A time schedule that is keyed to the operation must be provided.

\_\_\_\_\_ Include a note on the plan to indicate that stumps and brush may not be buried in the Town and that topsoil may not be removed from the work site without a permit.

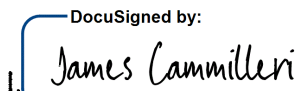
**VII. LIGHTING PLAN** – to include the following elements:

\_\_\_\_\_ Location of all lighting fixtures and standards on the property and structures, including a fixture schedule.

\_\_\_\_\_ Photometric data for site illumination.

**IX. BUILDING HEIGHT AND DESIGN**

\_\_\_\_\_ Building elevations and floor plans of all non – residential structures and all residential structures containing three (3) or more dwelling units (including net floor area calculations).

DocuSigned by:  
  
I, James Cammilleri as owner/applicant of JSC Management Group, LLC, located at PO Box 217, Lyndonville, NY 14098, to the best of my knowledge has submitted a complete application package for a site plan for review.

### III. PAVEMENT

\_\_\_\_\_ Asphalt pavement grades should be at least 1.5%, preferably 2.0% to drain properly, minimize public safety concerns, and avoid liability issues. These grades must be shown on the drainage plan with flow arrows showing the direction of water flow.

\_\_\_\_\_ Show on the plans a cross-section of the proposed sidewalk.

\_\_\_\_\_ Show on the plans a cross-section of the proposed asphalt pavement. It is suggested that a thicker asphalt section be used for high traffic travel areas, where the dumpster is located, or where the deliveries will occur.

\_\_\_\_\_ On the asphalt pavement cross-section, show the use of filter fabric (Mirafi 140N, or equal) under the pavement sub-base.

\_\_\_\_\_ If connections to cross –access driveways are being made with adjacent sites, a detail must be shown on the plans for the proposed connection. The pavement transition detail must include a V-shaped saw cut into the existing pavement and tack coat.

### IV. DRAINAGE/GRADING

\_\_\_\_\_ The stockpile area for topsoil and fill must be shown on the design plans.

\_\_\_\_\_ Spot elevations for adjacent properties must be provided on the grading plan.

\_\_\_\_\_ A minimum of 6-inches of cover are required for all storm sewer pipes in grass area. A minimum of 12-inches of cover are required for all storm sewer pipes in pavement. Storm sewer pipe located within the sub-base of the pavement is not allowed.

\_\_\_\_\_ Invert elevations must be shown for all culverts under driveways.

\_\_\_\_\_ Provide stone rip rap at the pipe outlets from the detention pond.

\_\_\_\_\_ Provide emergency overflow for the detention pond for the 100-year storm elevation.

\_\_\_\_\_ All culverts under driveways must be shown with galvanized end sections.

\_\_\_\_\_ Diameter, material type, and inverts of all roof leader downspouts must be shown.

\_\_\_\_\_ Diameter, material type, and inverts of all storm sewer pipes must be shown on the plans.

\_\_\_\_\_ For sites with less than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

\_\_\_\_\_ For sites with greater than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm, **AND** comply with all NYSDEC Stormwater Phase 2 regulations and design guidance.

## APPENDIX B-DESIGN OF STORMWATER DETENTION FACILITIES

The following method of determining the size of stormwater detention and retention facilities is presented as a guide for engineers, architects, and developers involved with construction projects in the Town of West Seneca.

Detention facilities are those facilities that detain the flow of stormwater runoff and discharge it at a reduced rate from the detention area. /this type of system operates by gravity with a large inlet and a small inlet. Retention facilities retain stormwater runoff, and it is necessary to pump the collected water into the downstream drainage system after peak flows have passed. Normally, detention facilities are installed much more frequently than retention facilities.

The Town of West Seneca requires that the stormwater detention system be designed in accordance with the following documents:

1. NYS Stormwater Design Manual
2. NYSDEC:SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01)
3. NYSDEC: Standards and Specifications for Erosion and Sediment Control

A copy of the Notice of Intent (NOI) and Storm Water Pollution Prevention Plan(SWPPP) as required by the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No.GP-02-01) must be filled with the Town prior to issuance of a building permit for construction. Per the NYSDEC regulations, construction cannot begin until the required time period for NYSDEC review has passed.

- For projects conforming to the NYSDEC's recommended standards, construction cannot begin until:
  - \* Five (5) business days from the date the NYSDEC receives a copy of the NOI; or the applicant receives an Acknowledgement Letter from the NYSDEC.
- For projects that deviate from the NYSDEC recommended standard, construction cannot begin until:
  - \*Sixty (60) days from the date the NYSDEC receives a copy of the NOI; or\ the applicant receives an Acknowledgement Letter from the NYSDEC.

In addition, the stormwater detention facilities must be designed to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

The engineer must provide all calculation and mappings, and state all assumptions necessary for review by the Town of West Seneca.



# Short Environmental Assessment Form

## Part 1 - Project Information

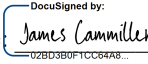
### Instructions for Completing

**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.

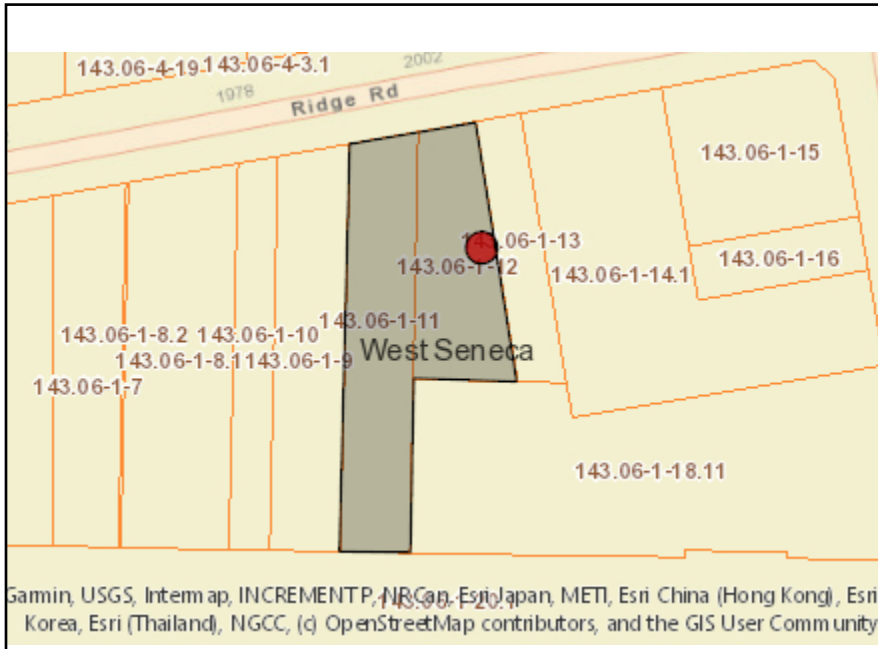
<b>Part 1 – Project and Sponsor Information</b>			
1997-2003 Ridge Road Rezoning and Special Use Permit			
Name of Action or Project: Burger King Restaurant			
Project Location (describe, and attach a location map): 1997 Ridge Road (SBL 143.06-1-11) and 2003 Ridge Road (SBL 143.06.1-12)			
Brief Description of Proposed Action: Rezone 1997 Ridge Road and 2003 Ridge Road from R-60A to C-2 to build a Burger King fast-food restaurant with a double drive-thru and associated sitework.			
Name of Applicant or Sponsor: JSC West Seneca Land, LLC		Telephone: 585-735-7198	
Address: P.O. Box 217		E-Mail: james.camilleri@jscmg.com	
City/PO: Lyndonville		State: NY	Zip Code: 14098
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"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town Planning Board - Site Plan Approval Town Board - Rezoning, Special Use Permit Erie County DPW - Highway Work Permit			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ +/- 0.79 acres b. Total acreage to be physically disturbed? _____ +/- 0.69 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ +/- 0.79 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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 type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ Discharge to existing storm sewer _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
On-site stormwater system, size TBD _____	<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
_____ NYS DECinfo locator shows no prior remediation on site or adjacent sites. The closest remediation sites is located 0.27 miles west at Delta Sonic Car Wash (350 Langner Rd).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>James Cammilleri</u> Date: <u>8/19/2021</u></p> <p>Signature:  Title: <u>CEO</u></p>		

## EAF Mapper Summary Report

Wednesday, August 18, 2021 4:26 PM



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

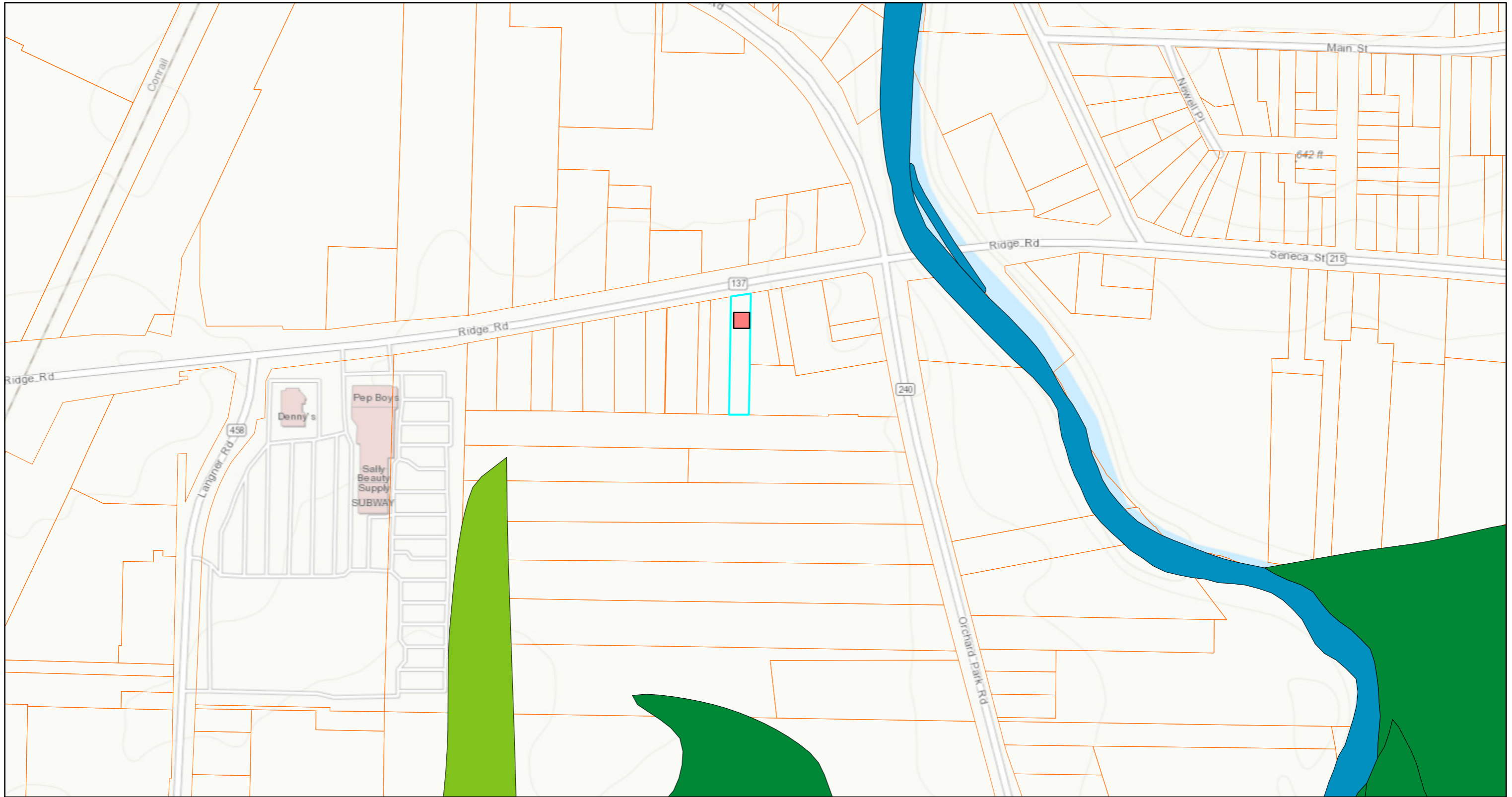


Gamini, USGS, Intermap, INCREMENTP, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Gamini, USGS, Intermap, INCREMENTP, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

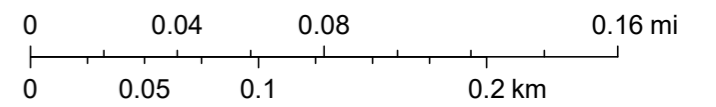
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

# 1997-2003 Ridge Road, West Seneca, NY



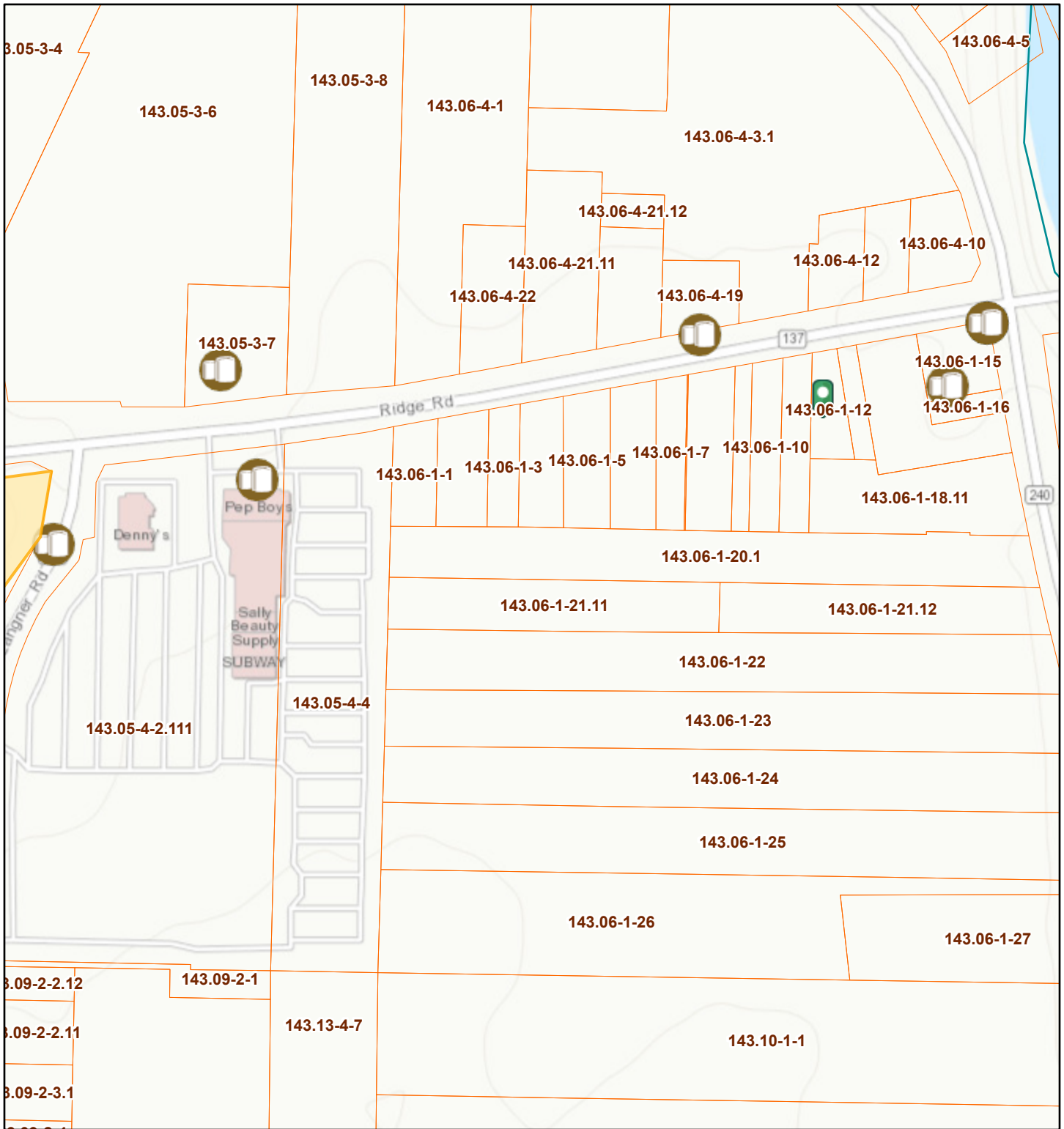
August 19, 2021

1:4,514

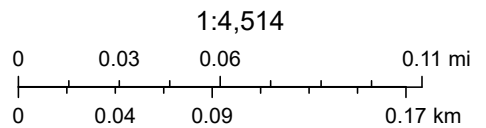


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

# 1997-2003 Ridge Road, West Seneca, NY



August 19, 2021





Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

# DECinfo Locator Legend (Active Layers)



## Permits and Registrations


-  Hazardous Waste Treatment, Storage & Disposal Facilities
-  Air Facility Registrations
-  Title V Air Facility
-  Air State Facility
-  Hazardous Waste Reduction Planning Program Generators
-  Active Landfills
-  Transfer Facilities
-  Wastewater Facilities
-  Combined Sewer Overflow (CSO) Outfalls
-  Multi-Sector General Permits (MSGP)
-  Petroleum Bulk Storage Facilities
-  Major Oil Storage Facilities
-  Chemical Bulk Storage Facilities
-  Permitted and Reclaimed Mines
-  Oil, Gas and Other Regulated Wells
-  Water Withdrawal Annual Report
-  Dams
-  Projects of Interest

## Environmental Cleanup



-  Remediation Parcels
-  Remediation Sites

## Environmental Monitoring




-  Lakes and Reservoirs
-  Estuaries

-  Rivers and Streams
-  Shorelines
-  Hydrologic Unit Code (HUC) 10
-  Air Quality Monitoring Sites
-  Community Air Quality Screening Report
-  Aquatic Biological Monitoring
-  Aquatic Toxicity Monitoring
-  Archived Harmful Algal Bloom Reports
-  Harmful Algal Bloom Reports

### Environmentally Sensitive Areas

-  Critical Environmental Areas
-  Regulatory Tidal Wetlands Areas

### Reference Layers

-  DEC Regional Offices
-  County Boundary
-  Tax Parcels



**MARK LORENZ**  
146 Paradise Road  
East Amherst, NY 14051  
(716) 380-4957

August 16, 2021

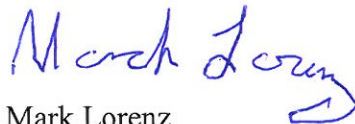
Town of West Seneca  
Planning Board  
1250 Union Road  
West Seneca, NY 14224

**RE: 2003 and 1997 Ridge Road**

Ladies and Gentlemen,

As the owner of the referenced premises I authorize JSC West Seneca Land LLC to seek rezoning of the premises to C-2. This rezoning is a condition of the sale of the premises to JSC West Seneca Land LLC

Sincerely,

  
Mark Lorenz



August 9, 2021

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

RE: Property at 1997-2003 Ridge Road – Authorization Letter

We at JSC Management Group, LLC are under contract to purchase the property noted above contingent upon securing all required municipal approvals. With that in mind, we are pursuing those necessary approvals at this time, and authorize APD Engineering & Architecture, PLLC. to act on our behalf as needed including any required coordination with the Town, submittals, presentation at meetings, etc.

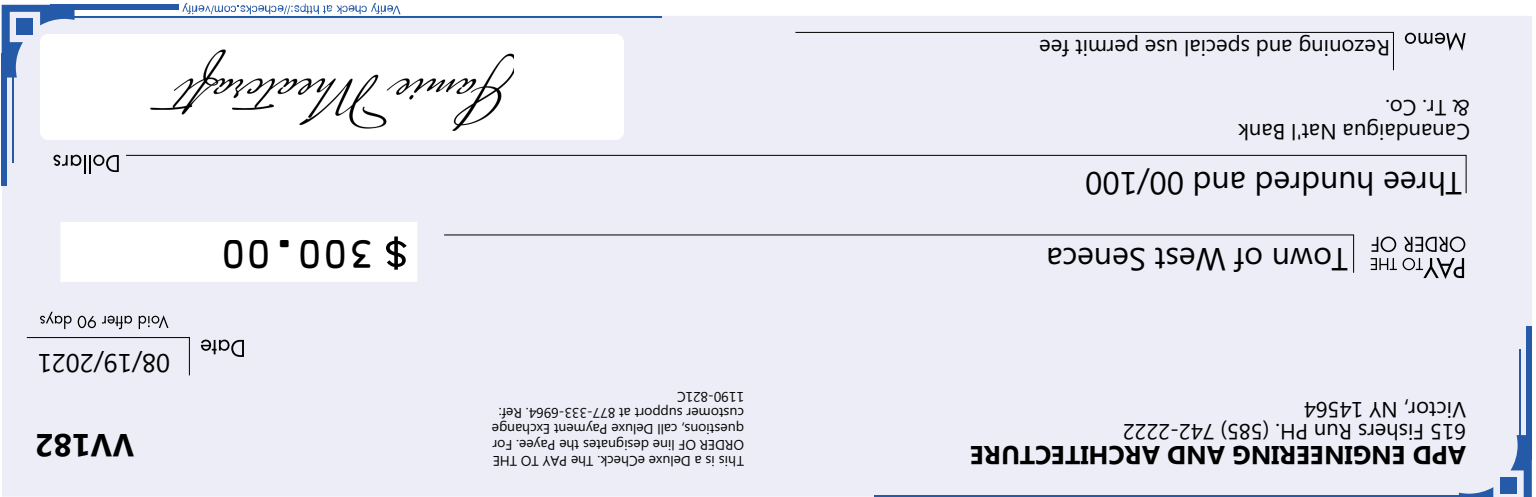
We appreciate your understanding and look forward to working with the Town through this approval process. Please feel free to contact us with any questions.

Sincerely,

A handwritten signature in cursive script that reads "James Cammilleri".

James Cammilleri  
Owner, Franchisee  
JSC Management Group, LLC

000018211 0223036591 10595029711



## Check appears upside down intentionally

### How to use this check

Cut along this line



Need help? Visit [eChecks.com](https://echecks.com) or call 877-333-6964

Step 1 Print the check	Step 2 Validate it printed correctly	Step 3 Deposit like normal
<ul style="list-style-type: none"> <li>✓ Any printer works</li> <li>✓ Black or color ink</li> <li>✓ Basic white paper</li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>Correct if bank numbers are:</b> Centered in white space Parallel to edge of the page Clearly printed in dark black ink</li> <li>✗ <b>Reprint if bank numbers are:</b> Cut off, skewed, or off-center Smudged or wrinkled Too light to read</li> </ul>	<ol style="list-style-type: none"> <li>1. <b>Cut on the dotted line above</b></li> <li>2. <b>Endorse the back</b></li> <li>3. <b>Deposit like normal:</b> In-person at a bank or credit union Using an ATM Via smartphone mobile deposit With an office check scanner</li> </ol>
<p><b>Does your financial institution have questions about this check?</b></p> <ul style="list-style-type: none"> <li>• This check was printed from an authorized check record. It is not a Check 21 Image Replacement Document.</li> <li>• To confirm this check was issued by the account holder and details (pay to, amount, routing/account number) remain unmodified, the item's authenticity can be verified using the Deluxe Inc. Check Verification service at <a href="https://echecks.com/verify">https://echecks.com/verify</a>.</li> </ul> <p><b>Questions?</b> Visit <a href="https://echecks.com">eChecks.com</a> or call 877-333-6964</p>		

## For your records

**Issued date:** 08/19/2021

**Check number:** VV182

**From:** APD ENGINEERING AND ARCHITECTURE

**Amount:** \$300.00

**Payable to:** Town of West Seneca

**Delivery email:** [ssonger@apd.com](mailto:ssonger@apd.com)

**Memo:** Rezoning and special use perm...

Are you a business? To save time, money, and resources, make payments using Deluxe Payment Exchange. Call 877-333-6964 to get started today!

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