WEST SENECA PLANNING BOARD Minutes #2017-12 December 14, 2017

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

ROLL CALL:

Present -

Robert Niederpruem Jr., Chairman

Donald Mendola James Rathmann Joseph Sherman George Clifford Margaret Bebak Dale J McCabe

Jeffrey Schieber, Code Enforcement Officer

John J Fenz, 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.

<u>APPROVAL OF PROOFS OF PUBLICATION</u>

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

Ayes: All

Noes: None

Motion Carried

APPROVAL OF MINUTES

Motion by Rathmann, seconded by Clifford, to approve Minutes #2017-11 of November 2, 2017.

Ayes: All

Noes: None

Motion Carried

OLD BUSINESS COMMUNICATIONS

SPR2017-06

A request from Ebenezer Landing Community LLC for site plan approval for property located at 4592 Seneca Street for 31 single family detached patio homes and 14 attached two-story townhome units.

Motion by Mendola, seconded by Rathmann, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

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SPR2017-06 (continued)

Attorney Sean Hopkins of Hopkins Sorgi & Romanowski PLLC represented the applicant and stated a Part I environmental assessment form has been submitted as requested along with an updated landscape plan with a diversity of species. Town Engineer David Johnson has reviewed and approved the updated engineering plans. The northernmost 100' of the site will be designated as permanent open space and Mr. Hopkins provided Town Attorney John Fenz with proposed language to be filed with the Erie County Clerk's office. Elevations of the proposed project were presented for the detached patio homes and two-family homes, which will be upscale in nature and resemble single family homes.

Chairman Niederpruem stated the Planning Board just received the environmental assessment form and they have not had time to review it. Mr. Hopkins noted this is an unlisted action and a short form was submitted a while ago. The long form was only provided for information purposes. All environmental issues were part of the original process and have been in the record. There is nothing of any potential significance and no record of contamination on site or in the immediate vicinity.

Mr. Mendola commented on the length of the road from Seneca Street to the cul-desac. Mr. Hopkins stated this is the same length as originally presented. It is a private road and the terminus of the cul-de-sac was updated so it complies with the turning requirements for emergency vehicles.

Mr. Sherman understood no sidewalks were proposed, but noted the plan now shows sidewalks. Christopher Wood of Carmina Wood Morris, DPC stated no sidewalks were planned and they should not be indicated on the plan. Mr. Mendola commented on a potential dangerous situation if people have to walk in the street. Mr. Rathmann referred to the new guidelines for walkable communities and suggested sidewalks be included. Mr. Hopkins stated they would be willing to add sidewalks on one side of the road as requested.

Mr. Rathmann commented on parking on the road and the closeness of the units and questioned where children will play. Mr. Hopkins stated parking will be restricted to one side of the street. He further stated this is not the type of housing that is attractive to families with children and that is not the target market.

Mr. Rathmann stated there is 24' of paved area proposed and there should be 28' if parking will be allowed on one side of the road. Mr. Wood responded there is 29' of paved area with the gutters.

Mrs. Bebak questioned where sidewalks will be located and Mr. Wood responded they will be on one side of the road 5' from the gutter.

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SPR2017-06 (continued)

Mr. Rathmann referred to the landscape plan and the use of Blue Spruce for screening. He suggested introducing other varieties and staggering them to look more natural. Mr. Wood responded they would have no problem mixing up the varieties.

Mr. McCabe questioned the anticipated construction time. Mr. Hopkins stated the infrastructure will be constructed phase by phase and then those lots will become available. The first phase could also include the patio homes and they may do the entire street at once depending on demand.

Mr. Rathmann questioned the possibility of installing upright curbs instead of gutters to allow for more paved area and Mr. Wood responded they could do either type of curb.

No comments were received from the public.

Motion by Mendola, seconded by Rathmann, to close the public hearing.

Ayes: All Noes: None Motion Carried

Motion by Mendola, seconded by Rathmann, to table site plan approval for property located at 4592 Seneca Street for 31 single family detached patio homes and 14 attached two-story townhome units, conditioned upon the following revisions/ submissions: 1) installation of gutter curbs; 2) installation of sidewalks on the west side of the street continued around the cul-de-sac; 3) designated parking only on the east side of the street; 4) submission of a landscape plan that includes a diversity of trees; 5) submission of building elevations indicating stone on the front.

Aves: All Noes: None Motion Carried

NEW BUSINESS COMMUNICATIONS

2017-12

A request from Thomas Wierzbicki for a special permit for property located at 21 - 23 Flohr Avenue, being part of Lot No. 196, changing its classification from R-50 to R-50(S), for a four-unit residential building.

Motion by Mendola, seconded by Rathmann, to open the public hearing.

Ayes: All Noes: None Motion Carried

Chairman Niederpruem stated along with the application the Planning Board received a description of the property, a survey and a short environmental assessment form.

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2017-12 (continued)

Thomas Wierzbicki stated the property at 21 - 23 Flohr Avenue was in his wife's family since the 1960's. He and his wife purchased it eight years ago and put it up for sale last spring. They had a buyer, but the bank refused to mortgage the property because the zoning does not allow for a four-family home.

Chairman Niederpruem expressed concern that the building does not conform to the Town Code and only fits a two-unit.

Mr. Wierzbicki stated there will be no physical changes to the building and they just need the rezoning. The Zoning Board of Appeals recently granted a variance for the bulk area to allow for a four-family home. No objections were received from the surrounding property owners.

No comments were received from the public.

Motion by Mendola, seconded by Rathmann, to close the public hearing.

Ayes: All Noes: None

Motion Carried

Motion by Bebak, seconded by McCabe, to recommend approval of a special permit for property located at 21 - 23 Flohr Avenue, being part of Lot No. 196, changing its classification from R-50 to R-50(S), for a four-unit residential building.

Ayes: All

Noes: None

Motion Carried

2017-15

A request from Jonathon Schmid for a special permit for property located at 1777 Union Road, being part of Lot Nos. 184, 185 & 186, changing its classification from M-1 & C-2 to M-1(S) & C-2(S), for automotive use.

Motion by Mendola, seconded by Sherman, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Chairman Niederpruem stated along with the application the Planning Board received a site plan, a description of the property and a short environmental assessment form.

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2017-15 (continued)

Jonathon Schmid stated his proposal to rent space at his property at 1777 Union Road to a Ziebart franchise owner for undercoating, detailing and installation of remote car starters, noting there will be no painting. Colton RV is moving out and Ziebart will also occupy that space and one additional small building that is attached. The total building area is 13,000 sf with 4000 sf as showroom area. Auto storage will be on the side where RV's are currently located.

Chairman Niederpruem questioned if there is any plan to change the facade of the building. Mr. Schmid stated plans were submitted indicating the changes to the building which include removal of the doors in the front. He further commented on changes he had already made to enhance the appearance of the site.

Code Enforcement Officer Jeffrey Schieber stated the existing site complies with the new building design standards, so they could do a site plan waiver.

Mr. Rathmann suggested eliminating the three diagonal parking spaces on the plan and noted the need for handicapped parking. Mr. Schmid referred to the plan and commented that he did not believe the drawing was correct as the spaces are farther back than indicated and he will comply with handicapped parking requirements.

Mr. McCabe questioned if there will be storage of vehicles overnight and if there are any thoughts of expanding the business. A Ziebart representative responded some applications can be done in 2-3 hours, but larger packages require the vehicle to remain overnight. The property is gated, so any vehicles that remain outside will be safe. He further stated they have no ability to expand at this location.

No comments were received from the public.

Motion by Mendola, seconded by Rathmann, to close the public hearing.

Ayes: All Noes: None Motion Carried

Motion by Sherman, seconded by Mendola, to recommend approval of a special permit for property located at 1777 Union Road, being part of Lot Nos. 184, 185 & 186, changing its classification from M-1 & C-2 to M-1(S) & C-2(S), for automotive use as outlined in the presentation and limited specifically to the shaded areas as indicated on site plan SP-1.

Ayes: All Noes: None Motion Carried

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OTHER BUSINESS

Motion by Niederpruem, seconded by Mendola, to adopt the attached resolution relative to required training for Planning Board members.

Ayes: All

Noes: None

Motion Carried *APPENDICES*

<u>ADJOURNMENT</u>

Motion by Mendola, seconded by Rathmann, to adjourn the meeting at 8:05 P.M.

Ayes: All

Noes: None

Motion Carried

JACQUÉLINE A FELSER

TOWN CLERK/PLANNING BOARD

SECRETARY

WEST SENECA PLANNING BOARD TRAINING & RECORD OF ANNUAL COMPLETION

WHEREAS, Town Law §271 requires all Planning Board members to complete a minimum of four hours of suitable training each year; and

WHEREAS, West Seneca Town Code §28-6 grants the Chairman of the Planning Board the authority to determine and define suitable training; and

WHEREAS, West Seneca Town Code §28-7 defines acceptable training to include conferences, seminars and workshops, and reading journals, articles or books and other educational activities acceptable to the Board Chair; and

WHEREAS, each of the current Planning Board members – Robert Niederpruem, Donald Mendola, Joseph Sherman and Dale McCabe have completed various training sessions including one provided on December 7, 2017; now, therefore, be it

RESOLVED, the Chairman recognizes these current board members have successfully completed their minimum requirements for calendar year 2017 and this recognition is to be noted in the minutes of the Board pursuant to West Seneca Town Code §28-6; and be it further

RESOLVED, a record of this annual completion is to be maintained by the Town Clerk and a copy provided to the Town Board pursuant to West Seneca Town Code §28-8.