WEST SENECA COMMUNITY ROOM 1300 Union Road West Seneca, NY 14224

WEST SENECA PLANNING BOARD Minutes #2021-11 December 9, 2021

Chairman Rathmann called the meeting to order at 7:00 P.M. followed by the Pledge of Allegiance.

ROLL CALL:

Present - Chairman Rathmann

Margaret Bebak James Frick Dale J McCabe Raymond Nalewajek

Eric Sailer

Jeffrey Schieber, Code Enforcement Officer

Tina Hawthorne, Town Attorney

Absent

George Clifford

APPROVAL OF PROOFS OF PUBLICATION

Motion by McCabe, second by Bebak, to receive and file the proofs of publication and posting of legal notice.

Ayes: All

Noes: None

Motion Carried

APPROVAL OF MINUTES

Motion by Frick, seconded by McCabe, to approve minutes 2021-10 of October 14, 2021.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2021-07

Ayes: All

A request from JSC Management Group for a rezoning and special use permit for property located at 2007 Ridge Road, being part of Lot No. 296, changing its classification from R-60A to C-2(S) for construction of a new +/- 3,500-sf restaurant with double drive-thru and associated parking.

Noes: None

Motion by Bebak, seconded by McCabe, to open the public hearing.

Motion Carried

- ✓ The two adjacent properties have been rezoned from R-60A to C-2(S)
- ✓ The property located at 2007 Ridge Road has recently been acquired and will be part of the project
- ✓ Rezoning will allow the project to have more property

Todd Markovich with ABD Engineering presented the following:

✓ Previously, the proposed concept plan had issues that would require variances, with the addition of the new parcel there is no need for variances

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WEST SENECA PLANNING BOARD Minutes #2021-11 December 9, 2021

2021-07 (continued)

Mr. Frick referred to the short EAF and questioned if there was an archeological site. Mr. Markovich stated this is checked off as an automated response from the NYSDEC and will confirm there are no issues.

Ms. Bebak referred to future site plans with the following concerns:

- ✓ Along the south and west line is a residential property and fencing should be incorporated
- ✓ Dumpsters should be placed away from the residential property, along the east side

Mr. McCabe questioned if the east side has the common drive into Wendy's. Mr. Markovich stated this is a proposed cross access connection. The property at 2007 Ridge Road has a non-plottable cross access easement. Discussion is happening to come to an agreement on the connection; nothing has been formalized.

Chairman Rathmann stated this is a very congested area and questioned if a traffic study should be done. Mr. Markovich stated he would defer to the town on the need and noted this is a pass bye destination. Code Enforcement Officer Jeffrey Schieber stated this is a county road and he will forward the documents to the ECDPW.

Chairman Rathmann stated if the parking was parallel to the west property line more green space could be created along the back of the building. Mr. Markovich stated this idea was being looked at.

Chairman Rathmann questioned what the plan would be if there was not an easement agreement with Wendy's. Mr. Markovich stated if there were not an agreement, they would operate without it. This would not impact the access.

A resident questioned/commented on the following:

- ✓ Requested clarification on the location to her property Mr. Schieber illustrated the location.
- ✓ Concerns about the double drive-through Ms. Bebak stated this was two lanes. Mr. Markovich explained this would be two lanes with two menu boards allowing vehicles to order at the same time. The industry has changed with more people opting not to dine in. Two lanes reduce congestion, service time and vehicle idling.
- ✓ Requested the dumpster be located away from her property
- ✓ Hours of operation Mr. Markovich stated the proposed hours are 7:00 AM midnight.

Mr. Schieber stated the zoning of a piece of property tells the Planning Board what someone can and can not build on the parcel. The zoning on this piece was classified as R-60A which allows houses and small business operations. The town requires a zoning classification of C-2, commercial, to have a restaurant. This is step one of many. The Planning Board provides a recommendation to the Town Board regarding the zoning. The Town Board votes on the change in zoning. Notices of the public hearing will be mailed. If the vote is favorable, the applicant will again appear before the Planning Board to work out all site plan details such as lighting, drainage, etc.

Mr. McCabe noted, the area requested to be rezoned is only a 40' strip that runs adjacent to the parcel that already has the proper zoning. Most of the development is on the property that the applicant already owns and has the proper zoning. This parcel gives more space to spread out and alleviate some of the congestion issues.

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WEST SENECA PLANNING BOARD Minutes #2021-11 December 9, 2021

2021-07 (continued)		
Motion by Bebak, seconded by McCabe, to	close the public hearing.	
Ayes: All	Noes: None	Motion Carried
Motion be Bebak, seconded by Frick, to reclocated at 2007 Ridge Road, being part oconstruction of a new +/- 3,500-sf restaura	f Lot No. 296, changing its classific	ation from R-60A to C-2(S) for
Ayes: All	Noes: None	Motion Carried
<u>ADJOURNMENT</u>		
Motion by Bebak, seconded by Nalewajek,	to adjourn the meeting at 7:26 P.M.	
Ayes: All	Noes: None	Motion Carried
	AMY M. KOBLER TOWN CLERK/PLANNIN	G BOARD SECRETARY