

03/21/06 Planning Board Minutes

The meeting on Tuesday, March 21, 2006 was called to order by Chairman Reid at 8:00 PM with the Pledge of Allegiance.

Members present: Dave Baker also: Joe Colern, Building Insp.
Anne Fanelli Gene Stevenson, Water Supt.
Greg Merkle Robert Pierce, Town Atty
James Millard Wayne Clark, Hwy Supt
Robert Waver
Thomas Reid, Chairman

The minutes of the last meeting of February 21, 2006 were approved as submitted.

The first item on the agenda was Stone Ridge Estates Subdivision for Final Approval. Chris Muller and Nick Capozzi were present for tonight's meeting. Items required for final approval were reviewed:

- Approval from the County Health Department was received.
- NRCC Colony Corp are now the property owners, the deed has been filed.
- Performance and maintenance bond amounts need to be set.

Chairman Reid entertained a motion to set the performance bond for one (1) year at \$950,000.00 and the maintenance bond for two (2) years at \$95,000.00. Mr. Millard so moved, seconded by Mr. Waver. Poll vote 6 (6 ayes. Motion carried.

- Town Attorney needs to review and approve the deed restrictions.
 - The Town Board needs to address the issue of one Fire District for the development.
- Mr. Millard made the motion the Planning Board give final approval and recommend to the Town Board approval of the final site plan contingent upon the Town Attorney's approval of the deed restrictions. Seconded by Mr. Merkle. Poll vote 6 (5 ayes, 1 (abstained. (Mrs. Fanelli abstained). Motion carried.

The next item on the agenda was CountrySide Subdivision on Bullis and Girdle Rds for Robert Hesse. Mrs. Fanelli made the motion to rescind the motion for preliminary site plan approval for CountrySide Subdivision that was made at the meeting of February 21, 2006 and to set the date for a Public Hearing for April 18, 2006. Seconded by Mr. Waver.

Poll vote 6/6 ayes. Motion carried.

The next item on the agenda was JJ Realestate, on the corner of Jamison and Bowen Rds, for final approval. Owner, Michael Jagodzinski, Architect Phillip Snyder and William Thym were present. Mr. Snyder stated they were before the Planning Board on August 16, 2005 and made changes to the building as requested by the Board. The building will be made of wood with a metal roof and appropriate coloring and decorative sliding doors. The property is an acre and a half with 9/10 of an acre to be developed. There will be a sand filter septic system and an absorption trench which all have been approved by the EC Dept of Health. EC Dept of Public Works has reviewed and approved the curb cut; The Town Engineer has reviewed and approved the drainage. A Drainage District was formed and approved September 1, 1999. A letter from the adjacent neighbor was submitted requesting Mr. Jagodzinski build a 6' white fence with alternating Maple and Pine trees. A letter from Mr. Reid was received approving the drainage on his property. Lighting was addressed as being directional and minimal. Parking was addressed, but without knowing the other business uses, parking will have to be further reviewed. A short form SEQR has been completed along with the Business Use Permit application the Town Board has accepted Lead Agency. Chairman Reid entertained a motion to approve the Site Plan.

Mr. Millard so moved, seconded by Mr. Baker. Poll vote 6/6 ayes. Motion carried.

The next item on the agenda was for Russell Tucker for a rezone and sketch plan review for Seneca St. Russell Tucker stated he owns the property and would like to build a 60'x100' building for dry storage & equipment for his business and a 20'x40' building for office space. The first 300' of the property is zoned Commercial and the remaining property is Res. C/Ag. Mr. Tucker would like his storage and office buildings constructed past the 300' commercial zone and preserve the front of the property for future Commercial use. The building will be 80' from the property line and 780' from the nearest residence on Streif Rd. Federal Wetlands on the property were mentioned. The Planning Board is concerned about the future use of the property once the entire parcel is rezoned Commercial. Mr. Tucker was asked if he would consider rezoning a small portion of the property for his business use, leaving the remaining property Residential. Mr. Tucker will need to return to the Planning Board with new sketch plan showing new rezoning proposal. Mr. Millard made the motion the Planning Board recommends the Town Board not rezone the entire parcel as presented. Seconded by Mrs. Fanelli. Poll vote 5/5 ayes. 1/1 no. (Mr. Waver voted no). Motion carried.

The next item on the agenda was Bravo Cafe for a preliminary site plan review for 5781 Seneca St. Architect David Sutton, Project Engineer Susan King and owners Philip & Carmela Puttacciato were present. Mr. Sutton stated Mr. & Mrs. Puttacciato would like to move their existing restaurant to a 3500 sq. ft. 1 story vacant retail store. The existing building will remain intact and the only addition they plan is an 8G⁺x28G⁺ walk-in cooler off the back. Parking and septic will need to

be expanded. They would like to make the curb cut more defined and will submit changes to the County for approval. The restaurant will seat 65 and a banquet room will hold an additional 65 people. Proposed additional parking will be on the east & north side of the property. The parking lot will be blacktop. Drainage will be reviewed by the Town Engineer and a Drainage District will need to be formed. A 5G⁺ buffer on the north side of the property should be left for snow removal. The existing sign pole will be re-established. A SEQR has been filled out and submitted with the Business Use Permit.

Items required for approval for the next Planning Board meeting:

- a letter from neighbor allowing overflow of parking to use their lot
- details of the parking lot and building lighting
- visual images of signage
- a sketch showing surrounding businesses & residents
- letter from Springbrook Fire District approving emergency access to the building
- sketch showing the dumpster & enclosure
- show handicap parking
- letter from the Erie County Health Dept approving the curb cut

The next Item on the agenda was a review for Tom Greenauer Development on New Bullis Road. Norm Merriman from Greenauer/South Blossom Ventures and Attorney Ralph Lorigo were present. Mr. Lorigo stated they are here to address some issues the Town Board would like to have resolved regarding the request for a Preliminary Business Use Permit to allow the existing business to move to a new site. In regards to dust and noise levels, a Supplemental Environmental Assessment was done at the site and concluded there was no significant impact with dust and after testing decimal levels for noise, the levels came back low, with no significant impact on noise levels. A short form SEQR was originally submitted and now a full environmental assessment form has been submitted. An engineering study has been done on New Bullis Road. The study showed the road had a rating of 4 ton & is not suitable to support heavy truck loading and heavy

truck traffic. The rating for Blossom Rd is not known. The Building Inspector questioned the use of storage units on the property. Mr. Lorigo stated there are no intentions of adding storage units, they were just listed as a possible use for the land on a report for the DEC. Greenauer is only asking for approval of their Preliminary Business Use Permit and will fully comply with the Town Code in regards to "Prohibited Uses". Chairman Reid entertained a motion the Planning Board has reviewed the new information submitted and they stand by their original recommendation from the meeting of September 20, 2005. Mr. Merkle so moved, seconded by Mr. Waver. Poll vote - 5 ayes. 1 no. (Mrs. Fanelli voted no). Motion carried.

The next item on the agenda was a sketch plan review for a 4 lot 280-A Development for Arthur Court (Off Gaylord Ct). Owner Craig Fargo and Jeff Blank from DiDonato Associates were present. Mr. Blank stated the land is presently vacant and Mr. Fargo would like to divide the property into four lots and add a road. The property is zoned Residential B. The frontage on Gaylord Court is only 56G'+ wide and current subdivision regulations for Town R.O.W. is 60G'+ for Town Roads. Mr. Fargo will have to submit paperwork to the Town Attorney and the Building Dept showing that this R.O.W. was approved when Gaylord Ct was installed. There is a private driveway now which will be turned into a road built to Town specs and turned over to the Town. Drainage was discussed. Drainage has also been discussed with the Town Engineer. Mr. Fargo is proposing 100G'+ front setbacks for each lot. The Fire Department, Water Department and Highway have all been contacted regarding this project. Landscaping was proposed for the center median of the cul de sac. Mr. Fargo will have to come back to the Planning Board for a preliminary site plan review for the road.

The last item on the agenda was a sketch plan review for Todd Huber at 6091 Seneca St for an office and storage building. Todd Huber was present for the meeting. Mr. Huber would like to construct a 2400 sq. ft. building to the northeast corner of the property behind his existing office building to house a landscape company. The roof will be shingled, with the exterior of the building to match existing structure. Mr. Huber is proposing to add three storage buildings, 1 at 20G'+x100G'+ and 2 at 40G'+x100G'+. Lighting was briefly discussed. There is an existing burm. Water Superintendent Gene Stevenson questioned the water lines and water services to the new buildings. More information is required on the other businesses and building uses on the property. No action can be taken until the existing businesses on the property are approved Preliminary

Business Use Permits by the Town Board with a referral made to the Planning Board.

There being no further business, the meeting was adjourned at 11:25PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary/Clerk