

## **12/14/10 Zoning Board Minutes**

### ZONING BOARD OF APPEALS

The hearing on Tuesday, December 14, 2010 was called to order by Chairman Trzepacz at 7:00 PM.

Members present: Alfred Harrington also: Joseph Colern, Bldg Inspector  
Harry Kaczmarek Phyllis Todoro, Town Attorney  
Michael Komorek  
Robert Schafer  
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1187 for Bryan Young and Young Development Inc, 2240 Southwestern Blvd, West Seneca, who is requesting a variance for 2460 Bowen Rd, Elma for a 2 story, 48 Unit, 45,962 sq. ft. Senior Housing Apartment Building. C-2 & Elma Center Overlay. 144-36, 144-85 B&D, 144-86.2 A (2), 144-86.3, 144-93.9 B (2), 144-93.8, 144-86.2 D, 144-93.5, 144-93.9 D, E & G.

In the matter of Appeals Case #1187 Bryan Young from Young Development Inc and Lowell Dewey from C&S Engineers Inc were present for this project. Mr. Young began the discussion by talking about the other senior facilities his company has built which are comparable to the proposed senior facility being presented. 2460 Bowen Rd is an ideal location for the senior housing because the sewer system will be tied into the Pondbrook sewer plant and also, the residents will be in close proximity to the post office, the drug store and a store for buying groceries. The proposed housing (known as Sylvia's Place) will have 48 units with approximately 25% having 1 bedroom and 75% having 2 bedrooms for seniors age 55+. Mr. Young stated he recently acquired an additional 53' from a property owner on Bullis Rd making the parcel 335+' deep. The additional property will allow for storm water detention and will allow drainage to flow to the storm drain at Bullis Rd. Because of the additional land purchase some of the variances no longer apply. This will not be subsidized/Belmont Housing. There have been discussions with the seniors of Elma at the Senior Center regarding the new housing and with the Pondbrook Homeowners Associate on the building design. The front of the building will be facing Bowen Rd with one of the driveways directly across from Pondbrook Drive.

Traffic concerns were briefly discussed. Sidewalks and parking were discussed along with green space. Mr. Young stated if this project is successful a senior van will be provided for the three senior housing residents. The apartments on the first floor will have private entrances with second floor residents using the front entrance and elevator. Each unit will have its own porch or balcony. There will be security cameras inside and outside and pull strings in each unit for emergency use. Mr. Dewey briefly reviewed each variance separately.

- 144-36 Multiple dwellings require two off street parking spaces per unit (96), 56 are provided (3 of which are handicap).
- 144-42 Parking space size should be 9'x20', proposed is 9'x18'.
- 144-85 B & D Building footprint if larger than 10,000 sq ft requires a Special Use Permit (proposed is 23,074 sq ft).
- 144-93.9 B 2 The front setback proposed is 49', 10' max is required per Overlay.
- 144-93.9 E 1 Parking setback from ROW 20' is required. Proposed plans show parking is right up to ROW but will not encroach the ROW. The sidewalk is in the ROW.
- 144-93.9 E 4 For interior green space 20% is required, 10.2% is proposed.
- 144.93.9 G 7 Free standing signs are not permitted per the Overlay but proposed is a 6'x6' free standing sign that will be adjusted to code.

There will be other variance issues that need to be addressed, one of them being senior housing not allowed in C-2 and C-3 Zones. Those in favor of this project: Trudy Weber, 1351 Bowen Rd. Carol Huber, 60 Nanette Dr, sent in a letter of support of this project. Jim Harling, 2434 Bowen Rd, isn't for or against this project but had concerns with the project. Diane Rohl, 90 Dellwood Dr, spoke against this project.

Mr. Komorek made the motion: In Appeals Case #1187 for Bryan Young and Young Development Inc, 2240 Southwestern Blvd, West Seneca, who is requesting a variance for 2460 Bowen Rd, Elma, for a 2 story, 48 Unit, 45,962 sq. ft. Senior Housing Apartment Building, I move the variance be granted a continuance until further information is received on this project. Seconded by Mr. Schafer. Poll vote – 5 ayes. Motion carried.

The minutes of the last meeting of November 9, 2010 were approved as submitted.

Chairman Trzepacz informed the Board that after talking with Supervisor Nolan he was informed that only the Town Board will be going to New York City for the Association of Towns Conference in February.

Chairman Trzepacz announced to the Board that this will be the last meeting for Jennifer as the Secretary/Clerk to the Zoning Board of Appeals and stated he appreciated everything she has done for the Board and thanked her for her years of service as the Secretary. The Board unanimously agreed.

There were no communications at this time.

There being no further business, the meeting was adjourned at 8:00PM.

Respectfully submitted,

Jennifer M. Ginter  
Secretary-Clerk