

TOWN OF WEST SENECA

APPLICATION FOR SITE PLAN REVIEW APPROVAL

TO BE COMPLETED BY APPLICANT

DATE 5/25/16

FILE # SPR 2016 - 06

PROJECT NAME Tri-Town Animal Center

PROJECT LOCATION (Include address and distance to nearest intersection) 2724 Transit Road (opposite Bullis Road)

APPLICANT Ratajczyk Properties LLC

PH/FAX 716-998-1454

ADDRESS 2364 Williston Heights, Marilla, NY 14102

PROPERTY OWNER (Same)

PH/FAX _____

ADDRESS _____

ENGINEER/ ARCHITECT Nussbaumer & Clarke, Inc.

PH/ FAX 716-827-8000

ADDRESS 3556 Lake Shore Road, Suite 500, Buffalo, NY 14219-4194

SBL # 136.13-1-10

PROJECT DESCRIPTION (Include all uses and any required construction)

The Project Sponsor is proposing to build an animal center and will provide veterinary services, grooming, boarding, day care and sales of pet supplies.

Site improvements will include construction of an 11,352 sq.ft. one story building, site utilities, grading & landscaping.

SIZE OF LOT (acres) 3.25

ACREAGE TO BE REZONED N/A

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH
217 ft. of frontage along Transit Rd. opposite Bullis Road

EXISTING ZONING M-1 PROPOSED ZONING Same

EXISTING USE(S) ON PROPERTY Vacant land with existing cell tower

PROPOSED USE(S) ON PROPERTY Animal center

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

PUBLIC SEWER YES NO

PUBLIC WATER YES NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

Erie County DEP - Sewer connection; ECWA - RPZ; NYSDOT - Curb Cut Permit

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

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED 06/25/2016 BY J. Jelski

PLANNING BOARD MEETING DATE 07/14/2016

TOWN BOARD MEETING DATE _____

TOWN BOARD RESOLUTION DATE _____

NON - REFUNDABLE FILING FEE (Payable to the Town Clerk): \$ 1,750.00



ENVIRONMENTAL ASSESSMENT FORM

and Supporting Documentation

for the proposed

TRI-TOWN ANIMAL CENTER

2724 Transit Road
Town of West Seneca
Erie County, New York

Prepared for:

Ratajczyk Properties LLC
2364 Williston Heights
Marilla, New York 14102

Prepared by:



Locally-owned and Operated since 1933

3556 LAKESHORE ROAD
SUITE 500
BUFFALO, NY 14219-1494
FAX: (716) 826-7958

15J5-0061



May 2016



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EXHIBIT 5 **Flood Plain Map** (Practical Environmental Solutions, dated 04/07/2015)

EXHIBIT 6 **No Effect Letter** (NYS SHPO issued 06/03/2015)

Tri-Town Animal Center

Exhibit 1 – Cover Letter

**Exhibit 1
Cover Letter**



Environmental Assessment Form and Supporting Documentation

May 2016



3556 LAKE SHORE ROAD, SUITE 500, BUFFALO, NEW YORK 14219-1494
PHONE: (716) 827-8000 / FAX: (716) 826-7958

www.nussclarke.com

May 25, 2016

Chairman Robert Niederpruem Jr.
Town of West Seneca Planning Board
1250 Union Road
West Seneca, New York 14224

Re: Proposed "Tri-Town Animal Center";
Property is a 3.25± acre parcel located at 2724 Transit Road, opposite Bullis Road
Applicant & Project Sponsor: Ratajczyk Properties LLC
NCI Job No. 15J5-0061

Dear Chairman Niederpruem and Members of the Planning Board:

This letter and the enclosed supporting documentation is being submitted to the Planning Board on behalf of Ratajczyk Properties LLC ("Project Sponsor") in support of their request for Site Plan approval and an environmental determination pursuant to the State Environmental Quality Review Act ("SEQRA") of a proposed animal center located on 3.25± acres of land at 2724 Transit Road. The property is zoned M-1.

I. Project Description

The Project Sponsor is proposing to develop an 11,352 sq.ft. animal center as depicted on the proposed Site Plan. The facility will be for cats and dogs and will provide veterinary services, grooming, boarding, day care and sales of pet supplies.

Site improvements will include: roadways, sanitary sewer grinder pump, potable and fire protection water, storm drainage piping, storm water retention basin(s), driveways, site grading, landscaping and parking for 63 cars. Possible future expansion is contemplated, but the timing is currently unknown.

The proposed project ("action") includes all required discretionary approvals. The proposed action is an "Unlisted Action" pursuant to the State Environmental Quality Review Act ("SEQRA") since the project will not cross any of the applicable thresholds for a Type I action set forth in 6 NYCRR Part 617.4.

II. Project History and Current Status

There is an existing cell tower, owned by Upstate Towers, located on the property. To fulfill the stringent requirements of the Federal Communication Commission ("FCC"), an extensive environmental review of the property was conducted in June, 2015 by Practical Environmental Solutions ("PES") of Sanborton, NH, for construction of the cell tower. Since the proposed animal center will occupy the same site, the Project Sponsor has relied on the extensive environmental review conducted by PES.

PES reviewed National Wetland Inventory Mapping for the project area. According to the mapping, there are no recorded New York State Freshwater Wetlands or Federal Wetlands located on the project site.

Based on FEMA's Flood Insurance Rate Map ("FIRM"), the project site is located in Zone X – FIRM # 3602390004B, outside of the 100 year flood zone.

The project site is located in area which is sensitive for cultural resources according to Cultural Resource Information System online mapping. PES retained archaeologist, Louis Bubb, MA to conduct a Cultural Resource Investigation on the site. Report findings were submitted to the SHPO's office and a No Effect letter was issued by the SHPO on June 3, 2015.

Preliminary discussions with New York State Department of Environmental Conservation ("NYSDEC") officials have identified the ditch which runs along the north side of the property as a "Class B" stream and any physical disturbance with 50 ft. of the stream bed will require Protection of Waters permit from the NYSDEC.

This submission consists of the following documentation:

- Exhibit 1** Cover letter to Chairman Robert Niederpruem, Jr. and Planning Board Members dated May 25, 2016
- Exhibit 2** Short Environmental Assessment Form
- Exhibit 3** Proposed Site Plan
- Exhibit 4** National Wetland Inventory Map
- Exhibit 5** Flood Plain Map
- Exhibit 6** No Effect Letter – issued by the NYS SHPO, June 3, 2015

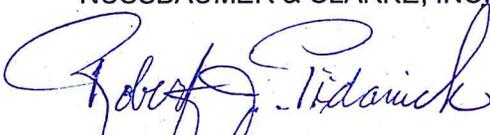
III. Conclusion

The Project Sponsor believes that this letter and the attached supporting documentation provide justification for the Planning Board to issue a negative declaration pursuant to SEQRA.

Please contact me if you have any questions at 827-8000 x 230 or via email at rpidanick@nussclarke.com

Sincerely,

NUSSBAUMER & CLARKE, INC.



Robert J. Pidanick
Senior Project Manager

Encl.

- c:
- Donald Mendola
 - George Clifford
 - James F. Rathmann
 - Margaret Bebak
 - Joseph R. Ciancio
 - Joseph Sherman
 - Jacqueline A. Felser, Secretary
 - Jeffery Schieber, Code Enforcement Officer/ SEQRA Coordinator
 - Ratajczyk Properties LLC

Tri-Town Animal Center

Exhibit 2 – Short Environmental Assessment Form

Exhibit 2
Short EAF



Environmental Assessment Form and Supporting Documentation

May 2016

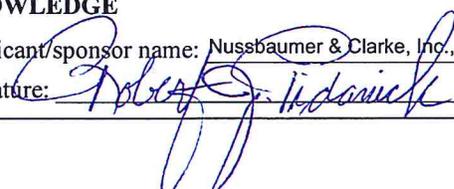
617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information			
Ratajczyk Properties LLC			
Name of Action or Project: "Tri-Town Animal Center"			
Project Location (describe, and attach a location map): 2724 Transit Road, Town of West Seneca, Erie County, New York			
Brief Description of Proposed Action: The Project Sponsor is proposing to build a veterinary hospital on 3.25 acres of land; property is zoned M-1. Work includes construction of 11,352 sq. ft. one story building as well as a sanitary sewer grinder pump, potable and fire protection water, storm drainage piping and storm water rain gardens, driveways, parking lot, site grading and landscaping. The layout of the proposed development is depicted on the attached Site Plan. There is an existing cell tower located at the extreme west end of the property which will remain and was previously approved as a prior action. The proposed project ("action") includes all required discretionary approvals and is an "Unlisted Action" pursuant to the State Environmental Quality Review Act ("SEQRA") since the project will not cross any of the applicable threshold for a Type 1 action.			
Name of Applicant or Sponsor: Ratajczyk Properties LLC		Telephone: 716-998-1454	
		E-Mail: domar.1983@yahoo.com	
Address: 2364 Williston Heights			
City/PO: Marilla,		State: New York	Zip Code: 14102
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"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Erie County Water Authority - Water supply; Erie County Health Dept. - Water supply, sanitary sewer; NYSDOT - curb cut. NYSDEC Protection of Waters Permit for discharge to Class "B" stream adjacent to site along north side of property.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 3.25 acres	
b. Total acreage to be physically disturbed?		_____ 2.2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input 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			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ Proposed on site rain garden	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Nussbaumer & Clarke, Inc., Robert J. Pidanick, Sr. Proj. Mgr. Date: April 15, 2016		
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

Tri-Town Animal Center

Exhibit 4 – National Wetland Inventory Map

Prepared by Practical Environmental Solutions,
dated 04/07/2015

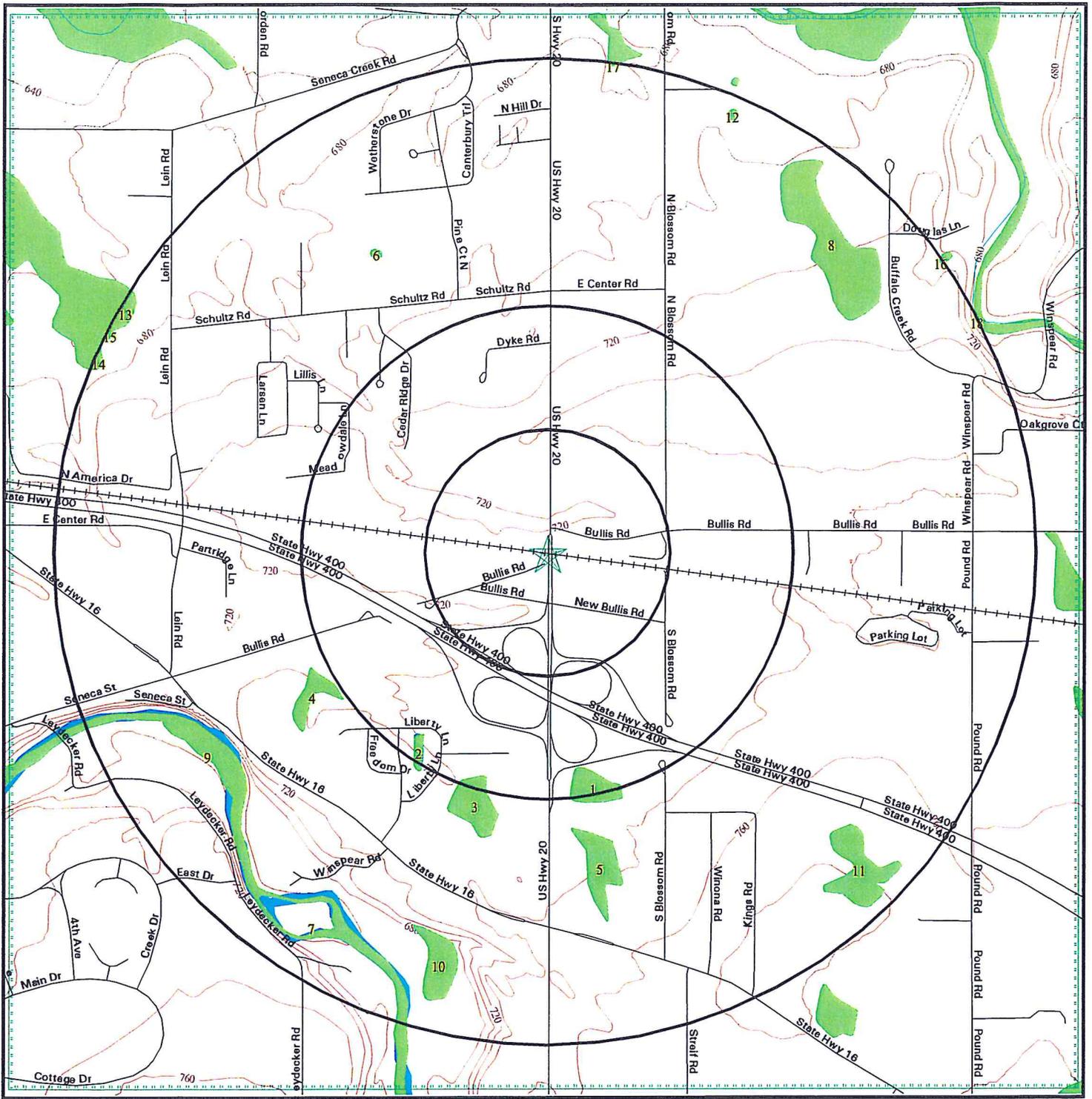
Exhibit 4
Wetland
Map



Environmental Assessment Form and Supporting Documentation

May 2016

National Wetlands Inventory Map



- Major Roads
- Contour Lines
- Waterways
- County Boundary
- Fault Lines
- Water
- National Wetlands Inventory
- State Wetlands
- Electronic NWI data available
- Electronic NWI data not available

<p>SITE NAME: BUF-581B Transit 400 ADDRESS: 2724 Transit Rd West Seneca NY 14224 LAT/LONG: 42.8384 / 78.697</p>	<p>CLIENT: Practical Environmental Solutions CONTACT: Mark Larocque INQUIRY #: 4256586.4s DATE: April 7, 2015</p>
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WETLANDS MAP FINDINGS

Source: Fish and Wildlife Service NWI data

NWI hardcopy map at target property: Orchard Park

Additional NWI hardcopy map(s) in search area:

Not reported in source data

Map ID

Direction

Distance

Distance (ft.)

Code and Description*

Database

Map ID	Direction	Distance	Distance (ft.)	Code and Description*	Database
1	South	1/4-1/2 mi	2310	PFO1E [P] Palustrine, [FO] Forested, [1] Broad-Leaved Deciduous, [E] Seasonally Flooded/Saturated Lat/Lon: 42.832123 / -78.695793	NWI
2	SW	1/4-1/2 mi	2342	PUBHx [P] Palustrine, [UB] Unconsolidated Bottom, [H] Permanently Flooded, [x] Excavated Lat/Lon: 42.833096 / -78.701920	NWI
3	SSW	1/4-1/2 mi	2476	PFO1E [P] Palustrine, [FO] Forested, [1] Broad-Leaved Deciduous, [E] Seasonally Flooded/Saturated Lat/Lon: 42.831867 / -78.699532	NWI
4	WSW	1/2-1 mi	2667	PSS1C [P] Palustrine, [SS] Scrub-Shrub, [1] Broad-Leaved Deciduous, [C] Seasonally Flooded Lat/Lon: 42.834576 / -78.705482	NWI
5	South	1/2-1 mi	2953	PFO1E [P] Palustrine, [FO] Forested, [1] Broad-Leaved Deciduous, [E] Seasonally Flooded/Saturated Lat/Lon: 42.830326 / -78.696045	NWI
6	NNW	1/2-1 mi	3631	PUBHx [P] Palustrine, [UB] Unconsolidated Bottom, [H] Permanently Flooded, [x] Excavated Lat/Lon: 42.847080 / -78.703636	NWI
7	WSW	1/2-1 mi	3982	R2UBH [R] Riverine, [2] Lower Perennial, [UB] Unconsolidated Bottom, [H] Permanently Flooded Lat/Lon: 42.832474 / -78.709465	NWI
8	NE	1/2-1 mi	4048	PFO1B [P] Palustrine, [FO] Forested, [1] Broad-Leaved Deciduous, [B] Saturated Lat/Lon: 42.845413 / -78.685295	NWI

*See Wetland Classification System for additional information.

WETLANDS MAP FINDINGS

Map ID
Direction
Distance
Distance (ft.)

Code and Description*

Database

18	R2UBH	NWI
ENE	[R] Riverine, [2] Lower Perennial, [UB] Unconsolidated Bottom, [H] Permanently	
1/2-1 mi	Flooded	
5245	Lat/Lon: 42.845070 / -78.679672	

*See Wetland Classification System for additional information.

Tri-Town Animal Center

Exhibit 5 – Flood Plain Map

Prepared by Practical Environmental Solutions,
dated 04/07/2015

Exhibit 5
Flood Plain
Map



Environmental Assessment Form and Supporting Documentation

May 2016

Flood Plain Map



- Major Roads
- Contour Lines
- Waterways
- County Boundary
- Pipe Lines
- Fault Lines
- Water
- 100-year flood zone
- 500-year flood zone
- Electronic FEMA data available
- Electronic FEMA data not available



<p>SITE NAME: BUF-581B Transit 400 ADDRESS: 2724 Transit Rd West Seneca NY 14224 LAT/LONG: 42.8384 / 78.697</p>	<p>CLIENT: Practical Environmental Solutions CONTACT: Mark Larocque INQUIRY #: 4256586.4s DATE: April 7, 2015</p>
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Tri-Town Animal Center

Exhibit 6 – No Effect Letter

Exhibit 6
No Effect
Letter

Issued by New York State Office of Parks, Recreation
and Historic Preservation (SHPO) on 06/03/2015



Environmental Assessment Form and Supporting Documentation

May 2016

Mark Larocque

From: towernotifyinfo@fcc.gov
Sent: Wednesday, June 03, 2015 4:45 PM
To: pesllc@metrocast.net
Subject: Section 106 Notification of SHPO/THPO Concurrence- Email ID #1238136

This is to notify you that the Lead SHPO/THPO has concurred with the following filing:

Date of Action: 06/03/2015

Direct Effect: No Historic Properties in Area of Potential Effects (APE)

Visual Effect: No Historic Properties in Area of Potential Effects (APE)

Comment Text: Daria Merwin, June 3, 2015

File Number: 0006787827

Purpose: New Tower Submission Packet

Notification Date: 7AM EST 05/05/2015

Applicant: UpState Tower

Consultant: Practical Environmental Solutions

Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No

Site Name: BUF-581B Transit 400

Site Address: BUF-581B : 2724 Transit Rd

Detailed Description of Project: new tower

Site Coordinates: 42-50-20.0 N, 78-41-57.0 W

City: West Seneca

County: ERIE

State:NY

Lead SHPO/THPO: New York State Historic Preservation Office

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.