

Chairman Robert Niederpruem called the meeting to order at 7:00 P.M. followed by the Pledge to the Flag led by Donald Mendola.

ROLL CALL: Present - Robert Niederpruem Jr., Chairman
Donald Mendola, Vice Chairman
Joseph Ciancio
Gerald Greenan
Anthony Nigro
John Gullo, Code Enforcement Officer
Shawn Martin, Town Attorney

Absent - Jim Rathmann
Joseph Sherman

Chairman Niederpruem read the Fire Prevention Code instructing the public where to exit in case of a fire or other emergency.

APPROVAL OF PROOFS OF PUBLICATION

Motion by Ciancio, seconded by Nigro, to approve the proofs of publication and posting of legal notice.

Ayes: All

Noes: None

Motion Carried

APPROVAL OF MINUTES

Motion by Mendola, seconded by Nigro, to approve Minutes #2012-03 of April 12, 2012.

Ayes: All

Noes: None

Motion Carried

OLD BUSINESS

SPR2010-02

A request from Wm. Schutt & Associates for a one year extension to the site plan approval for the 144-unit Bridgeview Apartment complex located on Meyer Road at Birchwood Avenue.

Brian Burke of Burke Development stated his request for an extension of the site plan approval for Bridgeview Apartment complex. Due to economic conditions the project was put on hold, but conditions have now changed, the banking environment is friendlier, and the market warrants the product at this time. Mr. Burke stated he would like to proceed with the project and needs the site plan approval extended for one year.

No comments were received from the public.

SPR2010-02 (continued)

Motion by Greenan, seconded by Mendola, to approve a one year extension until July 11, 2013 on the site plan approval for the 144-unit Bridgeview Apartment complex located on Meyer Road at Birchwood Avenue.

Ayes: All

Noes: None

Motion Carried

2010-04

A request from Gary W Brewer for a special permit for property located at 2550 Seneca Street, being part of Lot No. 33, changing its classification from C-2 to C-2(S), for used car sales.

Motion by Greenan, seconded by Mendola, to reopen the public hearing.

Ayes: All

Noes: None

Motion Carried

Attorney Wallace Piotrowski represented Gary Brewer and stated his request for a rezoning for 2550 Seneca Street for used car sales. Mr. Brewer is the owner of the property and has run an automotive repair business there for over 30 years. He was requesting six spaces for used car sales.

Mr. Mendola commented on the appearance of the property, noting that the blacktop is broken up and the fencing is in need of paint. He suggested that Mr. Brewer consider dressing up the property for the neighborhood. Mr. Mendola further commented that there seemed to be a lot on the east side of the property and expressed concern that Columbia Parkway will have an overload of vehicles that hang out over the sidewalk.

Mr. Piotrowski responded there are 12 spaces for vehicles for automotive repair on the east and employees park on the north. The used car sales will be on the west side.

Mr. Brewer stated he has never had a problem with vehicles blocking the sidewalk in the 30 years he has been in business. He further noted that the guardrail was removed yesterday and the lot is being cleaned up and landscaped. The parking lot is in rough shape, but the cost is \$30,000 to \$35,000 to repave it so he will do the best he can with patching, sealing and striping. The back of the building is also being pressure washed and painted and the rest of the building is presentable.

Chairman Niederpruem suggested entrance and exit arrows for the parking area and questioned Mr. Brewer's plans for lighting.

Mr. Brewer stated there are two lights on the corner that he will probably use for the used car sales.

2010-04 (continued)

Mr. Greenan questioned why Mr. Brewer was requesting six parking spaces and if it was a maximum or minimum for the site.

Mr. Brewer responded that there is room for six spaces on the east side and Code Enforcement Officer John Gullo stated that no zoning variance will be necessary if only six spaces are used.

Mr. Mendola expressed concern with sight distance for people pulling out onto Seneca Street and placement of snow.

Mr. Ciancio suggested eliminating the space in the corner and making it green area.

Mr. Piotrowski stated there are two entrances on Seneca Street and he did not believe there was a problem with the view of any drivers being blocked.

Linda Toy stated she has been a customer of Mr. Brewer's for years and also walks her dogs in the neighborhood. She has never had a problem with sight distance leaving the property.

Ernie Spencer represented his mother who lives in the neighborhood and questioned the type of vehicles to be sold, if there will be collision work done, and if Mr. Brewer planned to expand in the future. He was concerned that the other car repair shop in the neighborhood will also want to sell used vehicles. Mr. Spencer further commented that Mr. Brewer maintains his property and is a good neighbor.

Chairman Niederpruem stated the request was for sale of six used vehicles and there was no intent to change the auto repair use.

Mr. Gullo noted that no junk yard vehicles will be allowed.

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

Ayes: All

Noes: None

Motion Carried

Motion by Greenan, seconded by Mendola, to recommend approval of the request for a special permit for property located at 2550 Seneca Street, being part of Lot No. 33, changing its classification from C-2 to C-2(S), for used car sales, conditioned upon a limit of six motor vehicles for sale on the west side of the building.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2012-02

A request from Eric, Mary & Tracy Bauer for a rezoning for property located at 60 Terrace Blvd., being part of Lot No. 310, changing its classification from R-65 to R-65A, for a two-family home.

Chairman Niederpruem stated that along with the application the Planning Board received a deed, property survey, and an architectural plan.

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

Ayes: All

Noes: None

Motion Carried

Eric & Tracy Bauer stated their request for a rezoning for a two-family home. Mr. Bauer was originally going to have an office for his business in his home, but his mother got sick so instead he set up a bedroom and eating area for her.

Code Enforcement Officer John Gullo stated that a permit was issued for a single family home and Mr. Bauer was told to apply for a 2-family home if that was what he wanted. On final inspection it was found that the second kitchen was installed. Mr. Gullo stated that if the rezoning is approved, the Bauer's must apply for a building permit to make changes because there has to be a fire separation between the two units.

Mr. Bauer stated that he was told if a stove is installed it is considered a kitchen so he didn't put in a gas line.

Mr. Greenan stated that the Planning Board will need a set of plans to approve a two-family home if that is what the Bauer's are requesting.

Motion by Greenan, seconded Mendola, to table this item pending receipt of plans for a two-family dwelling that conforms to the ordinance.

On the question, Mr. Mendola referred to the rocks and stones on the east side of the building and noted that a certified drainage plan will be necessary.

Chairman Niederpruem stated that Mr. Bauer should submit a parking plan and talk with Mr. Gullo on all the requirements of the Town Code.

Mr. Bauer stated that he might just remove the kitchen and not proceed with the rezoning.

Ayes: All

Noes: None

Motion Carried

WEST SENECA TOWN OFFICES
1250 Union Road
West Seneca, NY 14224

WEST SENECA PLANNING BOARD
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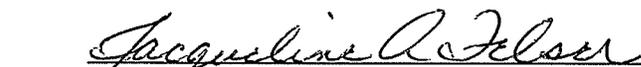
ADJOURNMENT

Motion by Greenan, seconded by Mendola, to adjourn the meeting at 7:35 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER
SECRETARY