

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

WEST SENECA PLANNING BOARD
Minutes #2012-06
July 12, 2012

Chairman Robert Niederpruem called the meeting to order at 7:00 P.M. followed by the Pledge of Allegiance to the Flag led by Sergeant-at-Arms Joseph Sherman.

ROLL CALL: Present - Robert Niederpruem Jr., Chairman
Donald Mendola, Vice Chairman
Joseph Ciancio
Gerald Greenan
Anthony Nigro
Jim Rathmann
Joseph Sherman
Shawn Martin, Town Attorney

Absent - John Gullo, Code Enforcement Officer

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 Rathmann, seconded by Ciancio, to receive and file 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 #2012-05 of June 14, 2012.

Ayes: All Noes: None Motion Carried

OLD BUSINESS

2011-A

A request from Nussbaumer & Clarke Inc. for final plat approval for the proposed 75 lot Queens Landing Subdivision.

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

Ayes: All Noes: None Motion Carried

2011-A (continued)

Robert Pidanick of Nussbaumer & Clarke Inc. represented 1000 Queens Grant LLC and requested final plat approval of the 34 acre, 75 lot Queens Landing Subdivision located off South Drive and Grant Blvd. All outside agencies including sanitary sewer, water and realty subdivision approval from the Erie County Health Department were received as required. The subdivision is tributary to West Seneca Sewer District 13 and the NYSDEC gave their approval with required mitigation. The sponsor has to fix sanitary sewer laterals at the discretion of the Erie County Department of Environment & Planning. The Town Engineer approved the project in February 2011. A permit was also required and obtained from the Army Corps of Engineers for federal wetlands on the site and there are no state wetlands. The project was redesigned and has 50 percent less road to maintain than the original project that was presented years ago. There will be 6.5 acres of green space in the center of the development and a homeowner's association will be established for care of the three lakes that will be used for stormwater management and aesthetics.

Chairman Niederpruem questioned if a tree survey and landscape plan were submitted and if the project was approved for 75 sewer taps.

Mr. Pidanick stated the landscape plan for areas around the lakes was submitted to the Building Department and two trees will be planted per lot. A tree survey was submitted but there are not a lot of significant trees on the property. Mr. Pidanick stated that the property was rezoned in 2010 and they had proposed 83 sublots at that time; however, the town capped it at 75 lots because of prior sewer tap approvals.

Mr. Mendola commented on the importance of establishing a homeowner's association for maintenance of the detention ponds.

Mr. Rathmann requested clarification on the detention ponds and Mr. Pidanick's reference to them as "lakes".

Mr. Pidanick stated the detention ponds will have permanent water in them 10' deep in the center.

Amy Carpenter questioned if the lakes will have a bubbler system and fish to take care of mosquitoes.

Mr. Pidanick responded that the ponds will be designed so there is some water movement to prevent mosquitoes and there may be fish in them.

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

Ayes: All

Noes: None

Motion Carried

2011-A (continued)

Motion by Greenan, seconded by Ciancio, to grant final plat approval for the proposed Queens Landing subdivision for 75 lots.

Ayes: All

Noes: None

Motion Carried

SPR2012-06

A request from Jonathan E Bennett Architecture PC for site plan approval for property located at 1470 Orchard Park Road for an addition to an existing retail facility.

Jonathan Bennett addressed drainage concerns expressed at the previous Planning Board meeting and stated that the natural slope of the land was to the north and the high ground near the corner of Reserve Road. They will create two small swales and a series of dry basins or French drains to pick up extra water as it goes around the back of the building and parking lot. Mr. Bennett explained that the French drain is a large hole in the ground filled with clean stone to catch surface water where it then naturally percolates into the ground.

Mr. Mendola had concerns about the drainage plan, noting that the ground is all clay. Mr. Rathmann also questioned if the French drain had been tested, noting that clay does not percolate water.

Mr. Bennett stated that the dry wells were recommended by Town Engineer Steven Tanner.

Mr. Mendola commented on the floor elevation and Mr. Bennett stated the elevation of the foundation was raised 2 to 3 feet higher.

Mr. Rathmann questioned the entrance to the addition and Mr. Bennett responded it was located in the middle closer to the existing building.

Mr. Mendola questioned if the concrete sidewalk will be extended across and Mr. Bennett stated it would be.

Mr. Rathmann stated it appeared the drainage water flows across the sidewalk and Chairman Niederpruem suggested Mr. Bennett take a look at that.

Motion by Greenan, seconded by Nigro, to grant site plan approval for property located at 1470 Orchard Park Road for an addition to an existing retail facility.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2012-03

A request from Donald A Krempholtz for a special permit for property located at 2570 Seneca Street, being part of Lot No. 33, changing its classification from C-2 to C-2(S), for used car sales.

Chairman Niederpruem stated that along with the application they had received a deed description, short environmental assessment form, property survey, and sketch plan.

Donald Krempholtz stated he purchased the property at 2570 Seneca Street in 1984 and added onto the building in 1988. He has been in the automotive repair business for 29 years and would like to sell eight used vehicles on the property to remain competitive.

Chairman Niederpruem stated that the survey is from 1984 and the Planning Board requires an updated survey for anything older than one year.

Patrick Krempholtz stated that Code Enforcement Officer John Gullo tried to show on the survey the amount of property already being used to determine how much they could use for used car sales.

Mr. Greenan commented that the plan is not complete and the application does not conform. He suggested adjourning this application until the plan shows parking and setbacks and an updated survey is submitted.

Motion by Greenan, seconded by Niederpruem, to adjourn this application pending submission of an updated survey and a plan that conforms to the ordinance.

Ayes: All

Noes: None

Motion Carried

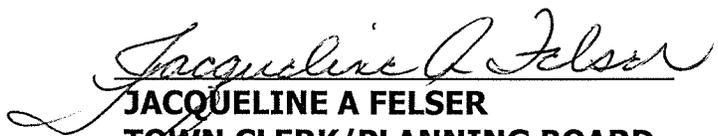
ADJOURNMENT

Motion by Greenan, seconded by Ciancio, to adjourn the meeting at 7:40 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER
TOWN CLERK/PLANNING BOARD
SECRETARY