

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

**WEST SENECA PLANNING BOARD**  
**Minutes #2013-02**  
**February 14, 2013**

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  
Joseph Ciancio  
Anthony Nigro  
Jim Rathmann  
Joseph Sherman  
Jeffrey Baksa, Code Enforcement Officer  
Shawn Martin, Town Attorney

Absent - Gerald Greenan

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

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APPROVAL OF PROOFS OF PUBLICATION

Motion by Rathmann, seconded by Mendola, to receive and file the proofs of publication and posting of legal notice.

Ayes: All                                      Noes: None                                      Motion Carried

APPROVAL OF MINUTES

Motion by Ciancio, seconded by Nigro, to approve Minutes #2013-01 of January 10, 2013.

Ayes: All                                      Noes: None                                      Motion Carried

NEW BUSINESS

SPR2013-02

A request from Mark Schiffhauer for site plan approval for property located at 5190 Seneca Street for used car sales

Chairman Niederpruem stated that along with the application the Planning Board received a proposed site plan, a letter from East Seneca Fire Company and a petition from neighbors of the surrounding area. The site plan indicated the parking areas and proposed green spaces, a sketch of the building and a layout of the proposed building. A letter was also received from Town Engineer Steven Tanner concerning drainage for the site and stating the applicant must provide pre and post development topography to determine drainage for the project and the drainage structures and swales they intend to construct. Chairman Niederpruem noted the plan submitted did not indicate any drainage patterns or structures or the direction of any surface water.

**SPR2013-02** (continued)

Attorney Ralph Lorigo represented Mark Schiffhauer and stated the original plan was modified to include requests of the Planning Board and Town Board. Mr. Schiffhauer operates a business across the street from this location and bought this property which was formerly a storage lot for Perry's Nursery. Prior to that the site was a gas station and it has not been maintained in 40 years. Mr. Schiffhauer was proposing a substantial upgrade to the site. The building will be painted and the entrance from Center Road will be closed. Green area will be added and a proposal from Perry's Nursery for landscaping was submitted. There will be a hedgerow and fence to screen the property from the neighbors. Parking for display of vehicles has been reduced from 21 to 15 spaces and parking for customers has been increased to four.

Chairman Niederpruem commented that the site plan does not show drainage, the type of sign that will be installed or lighting.

Mr. Lorigo responded there will be no free standing lighting or advertising signs. He did not believe that drainage was a requirement of site plan approval and there is an existing structure on the property that they are not changing.

Mr. Mendola commented that drainage is part of site plan approval because drainage could change the driveway entrance, building and parking spaces.

Code Enforcement Officer Jeffrey Baksa stated that engineering approval for drainage is necessary on all site plan review projects.

Mr. Lorigo stated that no one in the Code Enforcement Office had informed Mr. Schiffhause that engineering approval was required prior to site plan approval.

Town Attorney Shawn Martin stated that stormwater management regulations were approved at the last Town Board meeting and this project will have to comply, but the Planning Board could approve the site plan contingent upon engineering approval.

Mr. Mendola noted the site plan does not indicate the type of fence to be constructed. He further stated the quote from Perry's Nursery states what will be done, but there is blacktop that will have to be removed first. Erie County also wants involvement in the area on Center Road and the area behind the building has to be addressed.

Mr. Martin questioned if Mr. Schiffhauer had painted the building.

Mr. Lorigo responded that Mr. Schiffhauer will paint the entire building when the site plan is approved.

