



**SPR2013-03** (continued)

Attorney Ralph Lorigo represented the developer, Sean Hanley, and stated that three years ago the Planning Board had recommended approval of this project; however, the Town Board denied it and the denial was then overturned in court. The project involves a .69 acre site that is properly zoned R-50 and the proposed 5-unit building will be perpendicular to Orchard Park Road. The south side of the building is the front as requested by the neighbor to the north. There will be parking for ten vehicles, which exceeds the requirement for seven spaces. Mr. Lorigo submitted a letter from Stephen Geltz of Daryl Martin Architect in response to Town Engineer Steven Tanner's request for certain minor modifications to the site plan. Mr. Geltz agreed to comply with Mr. Tanner's requests including a drainage swale along the north property line, correction of the topo line on site plan sheet ST-3 and correction of a clerical error that listed the number of units as 48 instead of five.

Chairman Niederpruem referred to Mr. Tanner's comment regarding work in the Orchard Park Road right-of-way which is under the jurisdiction of the NYS Department of Transportation (NYSDOT). Mr. Tanner also thought NYSDOT may want to see a storm manhole tie into the storm pipe along the road versus a blind tie in.

Mr. Hanley stated he met with NYSDOT and showed them the site plan. They had a minor correction to the radius on the south side of the entrance and Mr. Hanley agreed to it. Also, NYSDOT was not requiring a manhole and was satisfied with an open ditch.

Mr. Mendola noted there was no perimeter drainage shown on the plan and the neighbor to the south has a drain pipe that drains on Mr. Hanley's property. He further questioned how the northeast corner of the parking lot will be drained.

Mr. Hanley stated he was willing to work with the neighbors to correct any problems.

Code Enforcement Officer Jeffrey Schieber stated that Mr. Tanner's letter called for a swale on the north side of the property and also states there is no need for a swale on the south because the water naturally flows from south to north.

Mr. Sherman requested the bushes used for screening on the north be extended to the end of the driveway so vehicles in the last parking space will not shine lights on the neighboring house to the north and Mr. Hanley agreed to extend the screening on the north.

Chairman Niederpruem questioned what Mr. Hanley planned to do with the existing fence on the north property line and Mr. Hanley responded that the fence is on his property but it belongs to the neighbor and he will work with the neighbor to have it repaired or removed.

**SPR2013-03** (continued)

Mr. Sherman questioned what kind of shrubs will be used for screening and Mr. Hanley stated he intended to use Austrian pines.

Mr. Rathmann commented that Austrian pines are not good for screening. He suggested a fence instead or possibly Blue Spruce or fir trees planted 20' off the property line and Mr. Hanley agreed to plant Blue Spruce for screening.

Mr. Rathmann thought that multi-family housing required a 30' driveway and only 24' is shown on the plan. The handicapped access aisle also needs to be 8' wide for handicapped van accessibility. He further suggested rounding the corners on the parking spaces to make it easier to maintain.

Mr. Schieber stated he will check on the width of the driveway and a variance might be necessary.

Mr. Mendola asked that Mr. Hanley dress up the west side of the building facing Orchard Park Road and Mr. Hanley responded he intends to enhance the entire building and make it aesthetically pleasing.

Mr. Nigro questioned if there will be a dumpster on the property and Mr. Hanley stated he will be checking with the Highway Department to see if they will pick up garbage at the road.

Chairman Niederpruem questioned if the lighting will be on the building and Mr. Hanley responded that it will be.

No comments were received from the public.

Motion by Mendola, seconded by Rathmann, to issue a negative declaration with regard to SEQR for the proposed 5-unit townhouse development at 1696 Orchard Park Road.

Ayes: All

Noes: None

Motion Carried

Motion by Mendola, seconded by Ciancio, to grant site plan approval for the 5-unit townhouse development at 1696 Orchard Park Road with the following conditions: 1) Blue Spruce planted along the north property line extending to the driveway; 2) an 8' handicapped access aisle; 3) a variance for the driveway width if necessary; 4) compliance with Engineering review; 5) a dumpster if necessary.

Ayes: All

Noes: None

Motion Carried

