

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

**WEST SENECA PLANNING BOARD**  
**Minutes #2013-07**  
**August 8, 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  
Gerald Greenan  
Anthony Nigro  
Joseph Sherman  
John Gullo, Code Enforcement Officer  
Shawn Martin, Town Attorney

Absent - Jim Rathmann

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 Sherman, 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 Sherman, seconded by Ciancio, to approve Minutes #2013-06 of July 11, 2013.

Ayes: All

Noes: None

Motion Carried

**OLD BUSINESS**

**2013-04**

A request from Jason Schneckenberger for a special permit for property located at 444 Indian Church Road, being part of Lot No. 133, changing its classification from C-2 to C-2(S), for service of alcoholic beverages

Chairman Niederpruem stated the project was before the Planning Board last month and the petitioner was asked to make some revisions. Questions were also raised regarding the public right-of-way being released by the Town of West Seneca.

**2013-04** (continued)

Town Attorney Shawn Martin stated there was a Town Board resolution last week authorizing the transfer of the public right-of-way to the applicant subject to clearance of all easements for underground utilities. He has been in contact with the applicant's attorney and papers are being put together. All easements will be protected and the applicant is aware that he cannot build on this property; the use is just for parking cars.

Jason Schneckenberger submitted revised drawings indicating the utility poles and landscaping and noting structures on the old survey that no longer exist. There were some drainage issues in the parking area but he hoped to have it resolved and paved by October 2014. Mr. Schneckenberger stated he wants his business to look good and is putting a new vestibule and a brick façade on the building.

Mr. Mendola questioned if Mr. Schneckenberger owns the property.

Mr. Schneckenberger stated he owns three parcels. Aurora Avenue will be the fourth parcel and he would like to combine them all into one parcel.

Code Enforcement Officer John Gullo suggested a deadline of October 2014 for paving the parking lot and stated he would like to see an updated survey showing the entire parcel at that time.

No comments were received from the public.

Motion by Greenan, seconded by Sherman, to recommend approval of a special permit for property located at 444 Indian Church Road, being part of Lot No. 133, changing its classification from C-2 to C-2(S), for service of alcoholic beverages.

Ayes: All

Noes: None

Motion Carried

**NEW BUSINESS**

**SPR2013-05**

A request from Canisius High School for site plan approval for property located at 2885 Clinton Street for a locker room building

Chairman Niederpruem stated along with the application they received an engineering report by Wendel Engineers from July 2013, a site plan and a layout of the proposed building.

**SPR2013-05** (continued)

Brian Brady of Wendel Engineers stated when the athletic field was designed in 2006 the locker room was part of the plan but funds were not available to complete it. Funding has now been secured to go forward with this project. The structure will be 48' x 48' and architecturally similar to the structure next to it.

Chairman Niederpruem stated that SEQR was filed and a letter was received from the NYSDEC stating they had no significant environmental concerns.

Motion by Greenan, seconded by Mendola, to issue a negative declaration for the proposed locker room building on property located at 2885 Clinton Street based on the project being of no foreseeable harm to the environment.

On the question, Chairman Niederpruem referred to a letter from Daniel Warren in opposition to the proposed project.

Town Attorney Shawn Martin stated the site plan application was filed with the town on July 11<sup>th</sup> which is less than 30 days from the date of this meeting. Town Code specifies a 30 day time frame and if the Planning Board acts on this application it could be challenged in court.

The motion was withdrawn.

Motion by Greenan, seconded by Ciancio, to table the request for site plan approval for property located at 2885 Clinton Street for a locker room building.

Ayes: All

Noes: None

Motion Carried

**ADJOURNMENT**

Motion by Greenan, seconded by Ciancio, to adjourn the meeting at 7:15 P.M.

Ayes: All

Noes: None

Motion Carried

  
**JACQUELINE A FELSER**  
**TOWN CLERK/PLANNING BOARD**  
**SECRETARY**