

# TOWN OF WEST SENECA



# COMPREHENSIVE PLAN



November 2005  
(Amended October 2006)

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COMPREHENSIVE PLAN

Adopted: October 2006





## ACKNOWLEDGMENT

The Town of West Seneca Comprehensive Plan was made possible through the efforts of:

**Steering Committee Members:** Christopher Osmanski, Joseph Ciancio, Paul Notaro, Joyce Mallett, John Kennedy, Nancy Lesakowski, Delores Mendolia, David Lawrence, William Czuprynski, George Montz, and Michael Krasner (In Memory of)

**Town Board:** Supervisor Paul T. Clark, Deputy Supervisor Chris Osmanski, Councilman Vincent J. Graber, Jr., Councilman Craig J. Hicks, Councilwoman Christina Wleklinski Bove, and former Town Councilman Timothy Wroblewski.

**West Seneca Town Departments**

**West Seneca Central School District**

**Erie County and**

**The Citizens of the Town of West Seneca**

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## INTRODUCTION



## INTRODUCTION

### What is a Comprehensive Plan

According to New York State Law, a Comprehensive Plan provides a municipality with the "guidelines, policies, [and] standards . . . for the immediate and long-range protection, enhancement, growth and development of the municipality."

Section 272-a of New York State Law states:

"Among the most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens."

New York State does not dictate what form a comprehensive plan must take, but suggests that it consist of written and graphic materials that identify the goals, objectives, principles and standards that the Town wishes to set forth for its immediate and long-term protection, enhancement, growth and development.

There are many reasons for having an adopted Town Comprehensive Plan. A municipality's Comprehensive Plan is the legal foundation for all zoning and land use regulation decisions made in the Town. While municipalities are given the power to regulate land uses within the community, it is understood that these decisions should be based on sound planning principles, and not be arbitrary or capricious. A municipal Comprehensive Plan, developed with public support and input, helps ensure that the Town's land use regulations are built on a solid foundation and represent a consensus on the part of the Town's residents.

Modern comprehensive plans go beyond zoning issues. A Comprehensive Plan provides guidance toward the priorities and concepts of local residents regarding what they consider important to their quality of life. It establishes goals and objectives that reflect those priorities, and provides a set of recommendations and actions to help the Town achieve those goals. While there are recommendations that pertain to land use and zoning, other actions and priorities are also articulated.

Another important purpose of a Comprehensive Plan is to put the community's vision for its future on the record. Any development proposal or action, whether private or public, should take into consideration the Town's vision as expressed in the Plan, and attempt to be consistent with these stated priorities. An adopted Comprehensive Plan provides an accessible and clear guide for entities seeking to undertake a project in the community. It provides them with a better understanding of what the Town is likely to approve and the types of actions that are preferred. It also provides the Town with greater leverage to have an effect on planning activities and programs instituted by other governmental authorities, such as the County or New York State agencies, who are required to take local plans into consideration.

An adopted Comprehensive Plan shows a commitment on the part of the community toward a shared vision for its future. This commitment can be helpful in seeking governmental assistance for projects that help move the community toward that vision through the forms of grants.

Finally, a Comprehensive Plan helps the community recognize what is important about your Town. It identifies what is important to protect, support and encourage, and what elements of your Town you would like to see improved. It provides a clear assessment of where you are now, vision on where you would like to be, and concrete recommendations and strategies to help you get there. Not all elements included in the plan will be achieved, but the Plan contains a source of potential solutions to problems or issues that may arise in the future.

### **The Make-up of this Document**

This Comprehensive Planning document includes the basics of any comprehensive planning document. It includes information about the community (existing conditions – "Where the Town is Now"), an interpretation of those conditions (conclusions, and an interpretation based on strengths and weaknesses of the town versus the goals and objectives of the town), a visioning component (setting goals and objectives – "Where the Town Wants to Be"), and recommendations to achieve the communities' goals and objectives ("How to Get There").

Section I provides summarized information about the community (see appendix for additional data). Section II reports the vision section of the plan, articulated in a process and the setting of goals and objectives. This information is presented early because it guides the rest of the document. Section III begins the analysis of the Town's existing conditions, with Section IV continuing this analysis but more directly related to the vision of the community (a SWOT analysis). Section IV also includes the ideas generated during the comprehensive planning process that could be utilized in achieving the Town's goals. Section V takes some of the key ideas and expands upon them to make clear recommendations, and provides a methodology to implement these recommendations. Section VI reports the environmental analysis utilized to evaluate the ideas and recommendations of the plan, and to help complete the SEQR process. The appendices include information concerning the public meetings, zoning text amendments, a Gardenville Heritage Area Plan, and other samples of laws and ordinances to be utilized by the Town.

### **How this Plan will be Utilized**

As defined in Section 272-a of General Town Law, the comprehensive Plan shall "serve as a basis for land use regulation, infrastructure development, public and private investment, and any plans which may detail one or more topics of a Town Comprehensive Plan."

The Town of West Seneca Comprehensive Plan was adopted by the West Seneca Town Board on \_\_\_\_\_ and it shall be the policy of the Town of West Seneca to reference the Comprehensive Plan for all rezonings and infrastructure projects planned by the Town and proposals from other governmental agencies. A copy of this plan was provided to county and state agencies to assist with their plans and projects in the West Seneca area.

For each budget year, the Implementation section of the plan will be referenced and actions, new laws and regulations will be incorporated into the plan for the coming year.

## **SECTION I – EXISTING CONDITIONS**

## **I. EXISTING CONDITIONS**

### **Introduction**

The Town of West Seneca is an established first-ring suburban community geographically located in central Erie County, New York. West Seneca represents the northern extent of the "Southtowns" region, the area of Erie County south of the City of Buffalo. Its range of land uses from suburban- lower density residential to rural residential/agricultural generally characterizes the Southtowns region. West Seneca exhibits this full range of land uses as well as strong retail commercial and industrial sectors.

Another defining characteristic of West Seneca is its lack of a central incorporated village. However, the town does have a recognized core area where business, government facilities and highest density residential neighborhoods function very similar to a typical suburban village.

In October 2002, the Town of West Seneca initiated the comprehensive planning process by establishing a Steering Committee to oversee the project for the Town. The Town's planning consultant began the planning process with an inventory phase. In this phase the existing conditions in the Town were established. This phase of the project included a thorough review of the numerous studies and reports available as existing data. Utilizing existing data minimized the need to create new data and allowed the project to focus on the defining the community goals, formulating recommendations and developing implementation strategies. A second key phase of the data gathering and analysis process included using available mapping data from the Erie County Geographic Information System (GIS).

This section utilizes the available information along with input gathered from the Steering Committee and the initial public information meeting to describe the existing conditions in West Seneca. The Existing Conditions help determine where the town is today. This is the first step in formulating a plan that documents where the community wants to be in the future, and then provides guidance on how it will get there.

A. Demographics

Population

West Seneca is one of the most populous towns in Erie County (Map 1). In 2000, the population of West Seneca was 45,920 persons, which placed it as the fifth largest town in the county. Like many suburban towns in Erie County, West Seneca experienced rapid growth and development in the years following World War II. Its population increased from 12,694 persons in 1940 to a peak of 51,210 persons in 1980. The Town has been experiencing population losses since 1980, although the pace of the decline moderated over the 1990's.

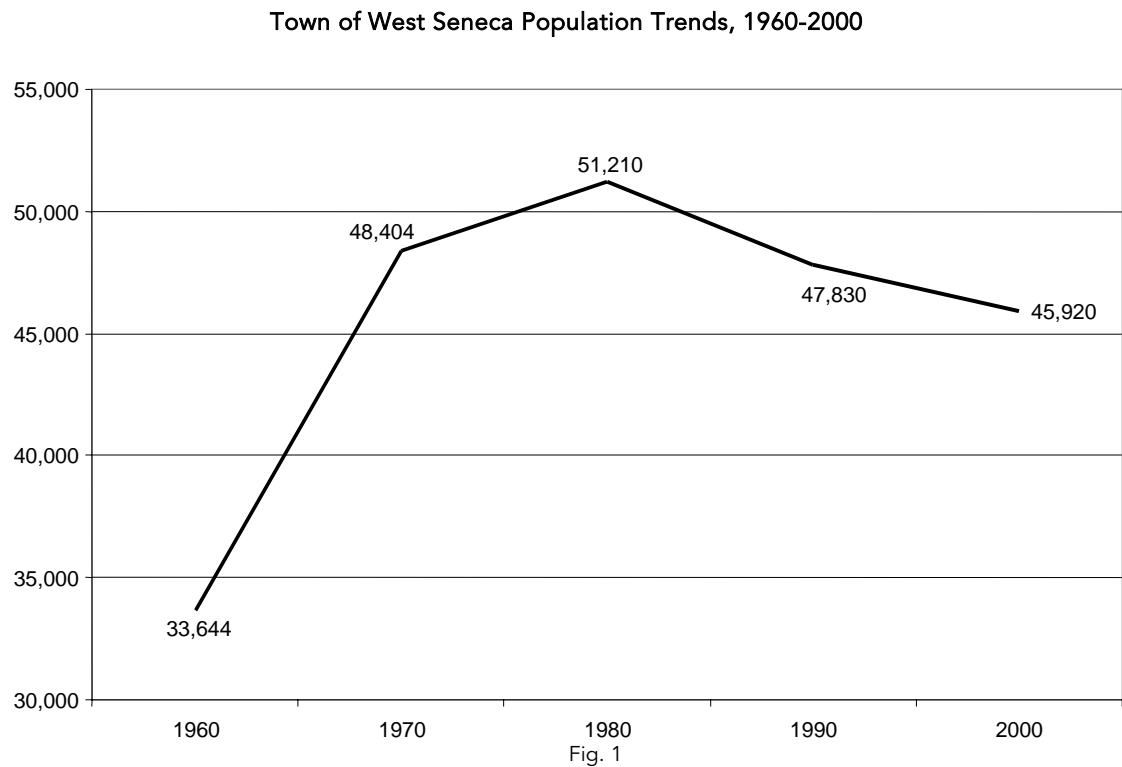


Fig. 1

Despite population losses over the past two decades, the number of households in the Town of West Seneca has continued to increase. This is due to a trend toward smaller household sizes, and in particular, an increase in the number of one-person households. In 2000, there were

**West Seneca Households (1980-2000)**

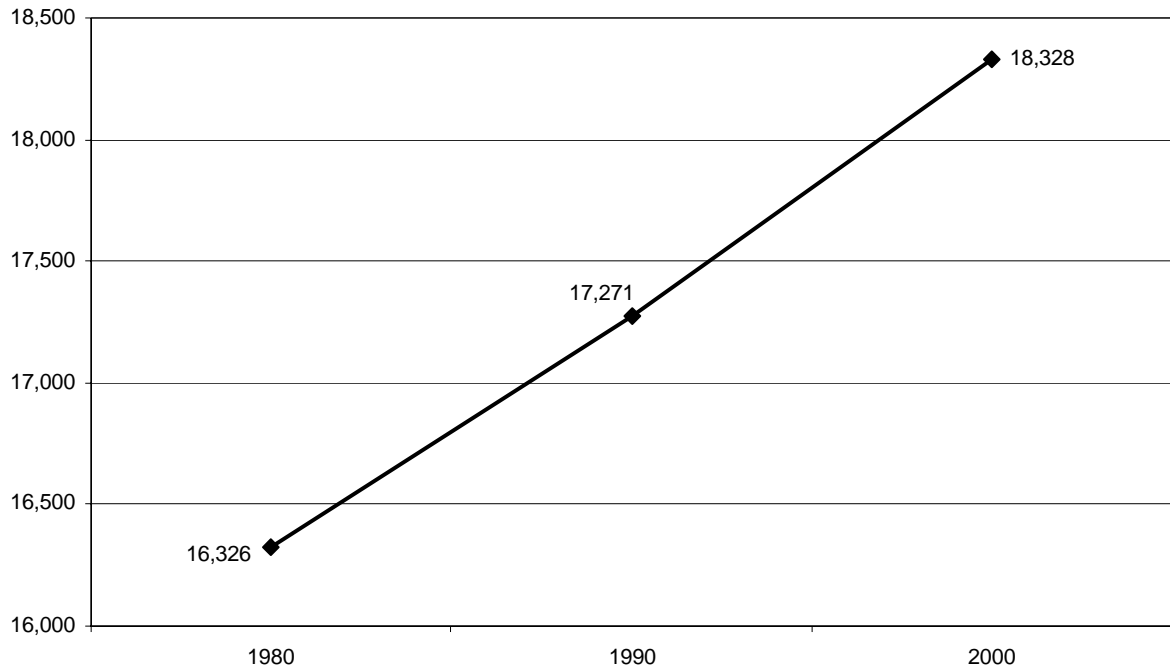


Fig. 2

18,328 households in the Town, compared to 17,271 in 1990, an increase of 6.1 percent. Over the same time period, the number of one-person households increased from 3,708 to 4,871, an increase of 31.4 percent. The average size of a household decreased from 2.71 persons in 1990, to 2.47 persons in 2000.

The population of West Seneca is aging. In 2000, 21.8 percent of the population was under the age of 18, which is comparable to the proportion of children in 1990 (21.9 percent) despite a slight decline in the total number of children. The percentage of the population aged 65 and older, on the other hand, increased by 17 percent, from 7,148 to 8,374. Seniors aged 65 and older now comprise 18.2 percent of the total population, compared to 14.9 percent in 1990.

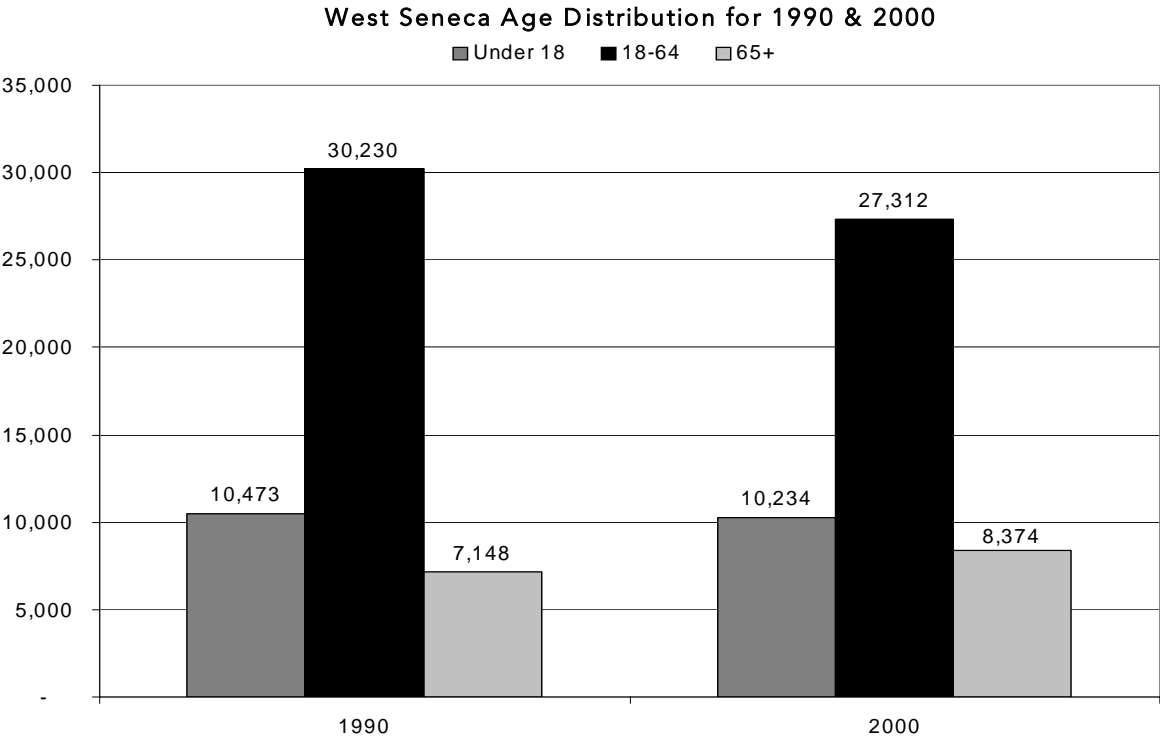


Fig. 3

Fully 96 percent of households in West Seneca are families or persons living alone. Most family households are married couples. Married couples make up 56.2 percent of all households, and over 80 percent of all family households. Families headed by a female (no husband present) make up 10.3 percent of all households, and those headed by a male (no wife present) comprise 3.0 percent. About 26.6 percent of all households are one-person households. Other household types (unrelated persons living together) make up the remaining 3.9 percent of households.

**West Seneca Households by Type (2000)**

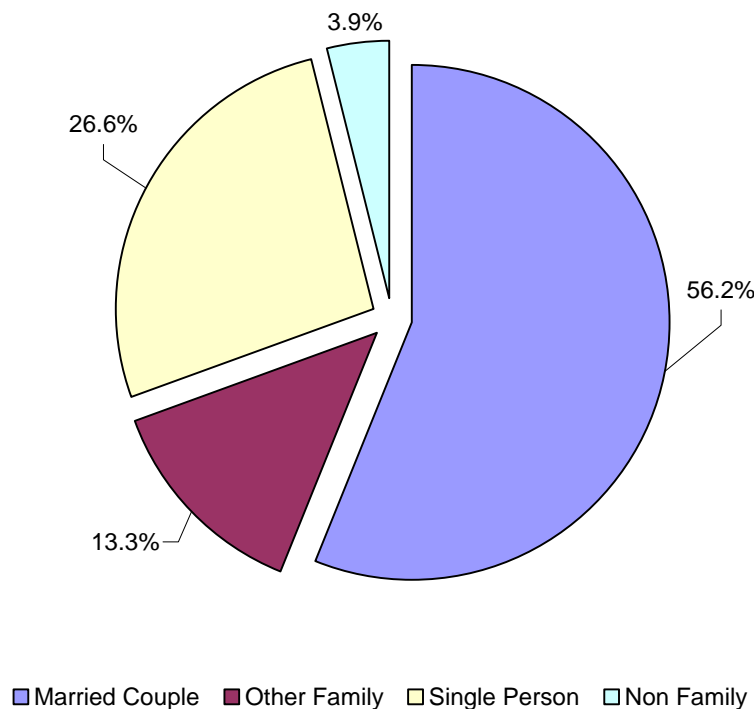


Fig. 4

About 86 percent of the adult population (age 25 and older) has at least a high school degree or its equivalent, and 27.1 percent of the adult population has earned a bachelor's degree or higher.

Population projections for the Towns in Erie and Niagara County were prepared for the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) in the report *Phase 2: Economic / Demographic Overview Study Final Report (1997)*. This study projected several regional growth scenarios, and a Study Review Team selected the most appropriate forecast for each community, based on an assessment of regional growth trends, constraints and attitudes in each community. The study was prepared for transportation planning purposes, and tended to be optimistic to ensure adequate capacity. They also were prepared before the 2000 Census was available, showing the extent of population losses over the 1990's. For West Seneca, the projections indicate a reversal of current trends, with the Town's population increasing to 50,000 persons by 2025, representing a 9 percent increase in population over the next two decades.



Household projections prepared for the GBNRTC report suggested that there would be 18,500 households in the Town of West Seneca in 2025. These figures are probably too conservative. There are currently 18,328 households in the Town, and this number is expected to increase over the next two decades, due to continued growth in the number of single-person households.

### Housing

There are 18,982 housing units in the Town of West Seneca. The vacancy rate is very low, with only 3.4 percent of units unoccupied. Homeowner vacancy was especially low, with a rate of only 0.8 percent. Vacancy among rental units was 6.7 percent.

Despite declining population, there has been housing growth in West Seneca, with a net addition of 1,171 new units between 1990 and 2000. The housing stock is predominately owner-occupied, with 78.4 percent of units occupied by their owners. Most of the housing stock is single-family dwellings (73.5 percent, including mobile homes). Two-family homes make up 11.9 percent of the housing stock, and the remaining housing stock is in buildings housing three or more units. Most apartment buildings are small, with only 2.3 percent of the housing stock in structures with 20 units or more.

**West Seneca Housing Units by Type (2000)**

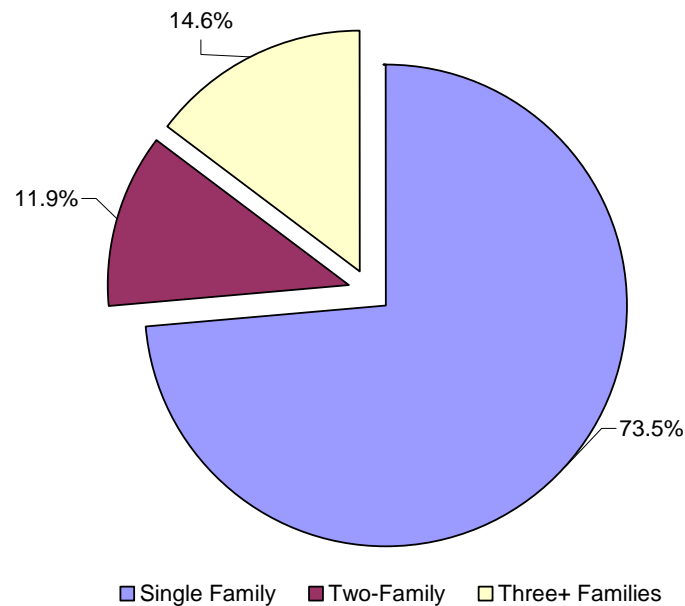


Fig. 5

Most of the housing stock in West Seneca was built thirty to sixty years ago. Over one-third of the housing stock was built in the 1940's or 1950's, and an additional 22 percent was built in the 1960's. Approximately 7 percent of the housing stock was less than ten years old in 2000.

West Seneca has a diverse housing stock, ranging from modest, affordable homes to very expensive housing targeted at the luxury market. Median sale price in 2002 for all real estate transactions in West Seneca (residential and non-residential) was \$89,000, according to a summary of Erie County Clerk's real estate records compiled by Buffalo Business First. The presence of a few, high-value non-commercial transactions has increased the median price to some degree, and the median residential sale price is somewhat lower. At the high end of the market, homes in the Rollingwoods area are listed for over \$400,000. At the other extreme, manufactured housing is available at prices in the \$20,000 to \$45,000 range.

There are three apartment complexes designated for senior citizens in West Seneca. The United Church Manor has 49 one-bedroom units, and Seneca Woods, on Indian Church Road, has 50 one-bedroom units. Both of these apartment complexes are for seniors only, and tenants must meet income limits. Rents are subsidized to be approximately 30% of the tenant's income.

Seneca Point, on Orchard Park Road, has 112 one- and two-bedroom apartments. Tenants must be 55 or older, but there are no income-limits. Rents are market rate (currently approximately \$600 to \$700) and the complex offers a higher level of amenities than the subsidized senior units.

## **B. Environmental**

Following is a description of the environmental features as they exist today in West Seneca. The features which are relevant to public health and safety or that can exhibit a constraint to development are discussed. The primary sources of information have been Erie County Geographic System (GIS) database, *Erie County Guiding Principles for Countywide Land Use Planning*, and the *Town of West Seneca Natural Resource Study*.

*The Town of West Seneca Natural Resources Study* was completed in September 1996 in order to assemble the available information on existing environmental conditions in one document that could be utilized for planning and development reviews. A series of digital maps was presented in an atlas format with appended reports. That report is appended to this Comprehensive Plan by reference.

### **Creeks and Watersheds**

Four major creeks and their tributaries form one of the prominent environmental features characterizing the Town of West Seneca. These creeks cut in a roughly east-west pattern through the Town, forming four watersheds (Map 2).

The largest watershed in West Seneca is the Cazenovia Creek-Buffalo River watershed. This watershed runs diagonally through the central portion of Town, from the southwest to the northeast corner. Lands within this watershed drain to Cazenovia Creek, which flows through the west-central section of Town, roughly following along Seneca Street. This creek has several tributaries, including Ebenezer Brook, which runs through the hamlet of Ebenezer, between Center Road and Main Street west of Union Road. Cazenovia Creek continues through the City of Buffalo to the east, and eventually flows into the Buffalo River. This watershed is regionally important, with West Seneca being within the Buffalo River area of concern "source area" designated by the International Joint Commissioner.

Most of the northeastern portion of Town is in the Buffalo Creek watershed. Buffalo Creek flows in an east-west pattern through the northern part of the Town, just south of and roughly parallel to Clinton Street. Several smaller tributaries feed into Buffalo Creek in West Seneca. Buffalo Creek flows into Cayuga Creek near the northern border of West Seneca, forming the Buffalo

River. Small portions of the Town along the northern boundary fall into the Cayuga Creek watershed. Cayuga Creek runs along a part of the northern boundary between West Seneca and the Town of Cheektowaga. As noted, Cayuga and Buffalo Creeks flow together at the northwestern edge of town to form the Buffalo River.

The southwestern corner of the Town falls in the Smoke Creek watershed. Smoke Creek is the smallest of the four major creeks in West Seneca, curving around the southwestern corner of town. It is the only major creek in West Seneca that does not flow into the Buffalo River. Smoke Creek continues west through the City of Lackawanna, eventually flowing directly into Lake Erie.

The Cazenovia Creek, Buffalo Creek, Cayuga Creek and Smoke Creek are all identified as stream corridors having countywide significance for their relative size, their role in floodplain management, potential to provide natural fish and wildlife habitat, and their potential for recreation and open space.

### **Floodplains**

The Federal Emergency Management Agency (FEMA) has mapped areas that are considered at risk for flooding on FEMA Flood Insurance Rate Maps. There are significant areas of the Town of West Seneca that fall within what FEMA designates as the 100-year floodplain. Lands adjacent to each of the four major creeks and Ebenezer Brook are all classified as floodplains (Map 3). The largest area of floodplain is located in northwestern corner of Town, on lands along Buffalo Creek and the Buffalo River. Nearly all of the area west of the Thruway and north of the rail right-of-way is located within a floodplain. The western portion of Town along Cazenovia Creek also has relatively large areas of potential flooding, particularly where the creek begins to turn north, near Orchard Park Road. The eastern section of Cazenovia Creek cuts through steeper local relief, creating steep (in some cases sheer) stream banks. In these areas the regulatory floodway is contained due to the extreme top of bank elevation.

### **Wetlands**

Wetlands can be under the jurisdiction of either the Federal or the State government. State wetlands, usually 12.4 acres or larger, are identified by a combination of factors, including the type of vegetation that is present. Federal wetlands are generally smaller, are identified by the type of soils, and may also include surface waters.

There are relatively little mapped areas of wetlands in the Town of West Seneca. Most of the federal wetlands in West Seneca are located in the western portion of the Town. Most fall within the stream corridors or the 100-year floodplain. The largest area of federal wetlands is located along Cazenovia Creek, near a confluence with one of its tributaries. Areas of federal wetlands also exist within the floodplains along Smoke Creek and the Buffalo River. There are a few isolated federal wetlands outside of floodplain areas, but these are generally fairly small. A small pond is located in West Seneca between the Buffalo Creek and Clinton Street in the northwestern section of town. This pond is also classified as a federal wetland. During the design of the North America center a large federal wetland was identified. This wetland is not shown on Map 3 but can be found in the records relating to the NAC.

There are only two locations of NYSDEC wetlands within the town. The larger is located north of the 400 Expressway where the Norfolk Southern Rail lines merge. The other NYSDEC wetland is located along the Norfolk Southern Rail line at Smoke Creek in the western section of Town.

Given the presence of large areas of hydric and potentially hydric soils in West Seneca, there may be other areas of small, unmapped Federal wetlands elsewhere in Town (see Map 4). Under current federal policy, these isolated wetlands are unlikely to be considered under federal jurisdiction.

## Water Quality

Buffalo Creek and Cazenovia Creek are classified as "B" water quality areas by the NYSDEC and are therefore protected waterways. Class B waters may be used for fishing and recreation, including swimming, but not for drinking or food preparation. Smoke Creek, Cayuga Creek, and the Ebenezer Brook are classified with a water quality of "C" and are not protected. These waters are suitable for fishing and some recreational use, but they have a lower water quality than Class A or B waters.

## Soils

West Seneca is characterized by the presence of large areas with hydric and potential hydric soils. Hydric soils are characterized by extended periods of wetness (standing or ponded water conditions), and frequently have pockets of federal wetlands. Map 4: Hydric Soils, illustrates the areas of hydric and potentially hydric soils in West Seneca. While the areas classified as hydric soils are limited, most of the soils in the Town are potentially hydric, suggesting potential problems with drainage throughout much of the Town.

Areas of prime farmland are found throughout much of the Town, much of which has been developed as non-farm use. This is common, as the soils best suited to farming are also best suited to supporting development. The best farming soils are located along the creek corridors, particularly along Cayuga, Buffalo and Cazenovia Creeks (Map 5). Much of the rest of the central portion of the Town is categorized as prime farmland, where drained. Related to the issue of hydric soils, these areas would support crops if properly drained of ponded water.

There are relatively few remaining active farms or agricultural businesses in West Seneca. They are located primarily in the northwestern section of town, focusing on nursery stock.

## Open Space/Greenspace

The *Town of West Seneca Municipal Open Space & Greenway Protection* report was prepared by the technical advisory committee in January 1999. The report sought to "analyze opportunities for municipal open space and greenway protection". The study resulted in a list of fifteen areas that still maintained a potential opens pace benefit if protected into the future. The study also reviewed existing land use regulations in order to identify ways to better protect open spaces.

The open space study utilized an overlay process to identify and prioritize environmentally sensitive areas. Archeological or historical sensitivity, wetlands, floodplains habitat for rare animal species, locally rare plant communities and other unique landforms features were mapped. Sites were prioritized by their number of features, geographic extent, susceptibility to development, and proximity to creeks. The resultant map depicts fifteen Special Focus Areas along the creeks in West Seneca. This report is appended to this plan by reference.

## C. Transportation

### Highway Network

The existing local road network provides excellent access between the town and the state highway system including the New York State Thruway I-90, Aurora Expressway NYS Route 400 and U.S. 219 (Map 6). The Thruway provides West Seneca its link to the Interstate Highway

system. In West Seneca, the Thruway runs in a north south orientation along the western edge of town. There are two key Thruway interchanges within West Seneca. The Aurora Expressway Route 400 begins at Exit 54 and runs east west in through the central portion of town connecting the southeastern towns of Erie County with the Thruway. In West Seneca the Aurora Expressway has interchanges with Union Road and Transit Road. East of Exit 54, the Thruway generally run east-west proving access to the major cities in New York and continuing east into Massachusetts. At its Exit 55 interchange with Ridge Road and U.S. 219, in the southwestern edge of town, the Thruway shifts west along Lake Erie and continues into Pennsylvania and Ohio. The mainline toll barrier at Lackawanna is located just inside West Seneca at the Lackawanna boarder.

State roads that run east-west through the town also include Clinton Street, and Southwestern Boulevard. North-south state roads include Union Road, Orchard Park Road, and Transit Road. Union Road, running directly through the center of town, connects Erie County's northtowns with West Seneca before joining Orchard Park Road. Orchard Park Road connects Potters Road and South Buffalo to Union Road and the Town of Orchard Park. Transit Road (New York Routes 78 and 20) is the eastern boarder of the town. Transit Road begins in the Town of Olcott on Lake Ontario and ends in the southeastern edge of West Seneca as it joins Southwestern Boulevard. Transit Road is a principal arterial of Erie and Niagara Counties.

The significant county roads located in the town include Mineral Springs Road, Indian Church Road, Seneca Creek Road, Borden Road, Center Road, Ridge Road, Seneca Street, East & West Road, and Berg Road. Borden, Center, Ridge, and Seneca Street not only serve residential areas but small commercial uses as well. While all the other County roads tend to facilitate a more residential networking with other major routes.

Each roadway is classified functionally into several categories depending upon the Average Annual Daily Traffic (AADT) of that roadway and other factors. The State and County Roads listed below have been classified by the Greater Buffalo Niagara Regional Traffic Council (GBNRTC). Interstates and Expressways are also identified in the following categories defined below:

Principal Arterials constitutes high volume roadways which carry the major portion of daily trips to centers of activity. Principal Arterials put a greater emphasis of mobility over access to land and include fully and partially controlled access facilities stratified into three categories, Intestates, Expressways and Streets.

Minor Arterials are facilities, which augment the Principal Arterial System and serve trips of moderate length. Minor Arterials put a greater emphasis on land access and less importance on mobility.

Collectors distribute trips from arterials and channel trips to arterials. Additionally, these roadways provide access and circulation within residential neighborhoods.

In addition the Town of West Seneca is responsible for a total of approximately 110 miles of Town Roads.

## **Traffic**

The Annual Average Daily Traffic (AADT) represents the daily traffic on any given segment of roadway in both directions to determine the level of annual usage that segment of roadway incurs. The Level of Service (LOS) is a measurement of delay. The LOS indicates the quality of the traffic flow at both the AM and PM peak traffic times through an intersection capacity analysis. The operation of an intersection is evaluated for each possible movement one may

take through an intersection. An "A" meaning passing, with "F" as a failing LOS for that directional movement. The West Seneca Traffic Counts (Fig. 6) includes the AADT totals for major State Highways and County Roads within the Town of West Seneca.

In 2001, the New York Department of Transportation completed a Traffic Impact Study as part of a Supplemental Generic Environmental Impact Statement for the build-out of the North America Center Industrial Park. That TIS considered the existing traffic conditions on the main roads and 24 key intersections in the vicinity of the North America Center. The roadways evaluated included Thruway, Aurora Expressway, Union Road, Transit Road and Clinton Street. Under existing conditions the key intersections studied are anticipated to operate at an acceptable level of service (LOS D or better) through 2009. Intersections with operational concerns include the I-90 ramp at Ridge Road, Union Road at Clinton Street, Transit Road at Bullis Road, Union Road at Seneca Street, and Union Road at Center Road. These signalized intersections operate at an overall LOS below D. State highways also showed traffic flow concerns that may hinder truck access into the Industrial Park. Route 400 southbound operates at an overall LOS below D for PM peak travel. While the I-90, from I-190 to Route 400, was found to operate at an overall LOS below D for both peak travel times, and from Route 400 to Route 219, was also found to operate at an overall LOS below D for AM eastbound and PM westbound traffic.

### **Transportation Improvement Projects**

Recently completed Thruway "4<sup>th</sup> Lane" project between Exits 53 and 54 directly impacted West Seneca by improving the capacity along a congested section for highway and alleviating the backups at the U.S. 219 and Aurora Expressway ramps. The expansion of the Thruway along Emporium Avenue was mitigated with a visual and sound barrier wall.

A project to expand Transit Road by one extra lane in each direction has been recently completed in November 2002. The expansion contained the area where previously the roadway reduced to a single lane. The entire project area was located in West Seneca starting from north of the Cazenovia Creek Bridge in the southeastern edge of town to the Buffalo River Bridge south of Clinton Street. The project called for the expanse of the Norfolk Southern Railroad Bridge, Aurora Expressway Bridge, and the Buffalo River Bridge.

### **Public Transportation**

Public Transportation in West Seneca and Western New York in general is provided by the Niagara Frontier Transportation Authority (NFTA). Regionally, the NFTA currently operates the Buffalo-Niagara International Airport (BNIA) and the Niagara Falls International Airport (NFIA), the Metro Bus and Rail System, the NFTA Boat Harbor on Lake Erie in the City of Buffalo.

Within West Seneca, NFTA operates five (5) bus routes that serve various areas in Town. Route 15 - Seneca travels between the Village of East Aurora and downtown Buffalo utilizing Seneca Street through West Seneca. Route 42 - Lackawanna links the Apple Tree Business Park in the Town of Cheektowaga and Erie Community College South in the Town of Orchard Park utilizing Union Road and Ridge Roads in West Seneca. Express 75 - West Seneca transports commuters between downtown Buffalo and East Aurora stopping in West Seneca at the intersections of Union Road-Seneca Creek Road and Center Road-Bullis. Express 70 - East Aurora stops at the intersection of Clinton Street-Union Road. Express 72 - Orchard Park stops Southgate Plaza and at the intersections of Slade Avenue-Orchard Park Road and Orchard Park Road-Michael Road. Paratransit or on-demand curb-to-curb service, via lift-equipped vans is by NFTA through their Paratransit Access Line (PAL) service. Trips are made on a reservation basis for qualifying individuals.

**\*West Seneca Traffic Counts (AADT)**

<b>County Roads</b>	<b>Classification</b>	<b>Segment</b>	<b>AADT</b>	<b>Year</b>
Mineral Springs Road (CR 534)	Minor Arterial/Collector	Buffalo City Line to Harlem Rd. Harlem Rd. to Indian Church Rd.	11,100 6,100	2001 2002
Indian Church Road (CR 109)	Collector	Harlem Rd. to Mineral Springs Rd. Mineral Springs Rd. to West Ave. West Ave. to Union Rd.	5,900 9,700 9,300	1998 2001 1998
Seneca Creek Road (CR 325)	Collector	Union Rd. to Lein Rd. Lein Rd. to Borden Rd. Borden Rd. to Transit Rd.	3,200 6,300 3,600	1999 2000 2000
Borden Road (CR 322)	Collector	Seneca Creek to Clinton St. Clinton St. to W.S. Town Line	6,050 12,200	1998 1995
Lein Road (CR 154)	Collector	Center Rd. to Seneca Creek Rd.	7,300	1995
Center Road (CR 571 and RT 16)	Minor Arterial	Seneca St. to Union Rd. Union Rd. to Lein Rd.	7,200 2,700	2001 2001
Ridge Road (CR 137)	Minor Arterial	Lackawanna City Line to I-90 I-90 to Orchard Park Rd. Orchard Park Rd. to Seneca St.	22,400 18,200 16,100	2000 2000 2000
Seneca Street (CR 215 and RT 16)	Minor Arterial	Rt. 240 to W.S. Town Line Rt. 240 to Rt. 400 ramp Rt. 400 ramp to Center Rd. Center Rd. to Ridge Rd. Ridge Rd. to Union Rd. Union Rd. to Leydecker Rd. Leydecker Rd. to Lein/Center Rd. Lein Rd. to Transit Rd.	15,300 18,300 14,700 7,500 16,400 10,800 8,200 6,300	2000 1999 1999 2000 1999 2000 1998 1999
Slade Avenue (CR 91)	Collector	Ridge Rd. to Seneca Mall Entrance Seneca Mall Entrance to Rt. 240	14,700 10,000	2000 2000
Langner Road (CR 458)	Collector	Fisher Rd. to Ridge Rd.	7,000	2001
Fisher Road (CR 459)	Collector	Lackawanna City Line to Langner Rd. Langner Rd. to Orchard Park Rd.	5,800 2,700	2000 2000
East & West Road (CR 363)	Collector	Orchard Park Rd. to Union Rd. Union Rd. to Leydecker Rd.	5,600 9,450	2000 2000
Leydecker Road (CR 364)	Collector	East and West Rd. to Rt. 20	3,500	2001
Berg Road (CR 187)	Collector	Schaffer Rd. to Rt. 240 W.S. Town Line to Schaffer Rd.	6,700 3,500	1997 1999
Reserve Road (CR 366)	Collector	Orchard Park Rd. to Union Rd. Union Rd. to Rt. 20	3,800 1,900	2001 2001
Michael Road (CR 365)	Collector	Orchard Park Rd. to Union Rd. Union Rd. to Rt. 20	4,500 4,500	2002 1997
<b>State Highways</b>	<b>Classification</b>	<b>Segment</b>	<b>AADT</b>	<b>Year</b>
Clinton Street (SR 354)	Minor Arterial	Harlem Rd. to French Rd. French Rd. to Union Rd. Union Rd. to Borden Rd. Borden Rd. to Transit Rd.	17,200 12,100 14,100 9,200	1999 1999 2002 1996
Union Road (SR 277)	Principal Arterial	Orchard Park Rd. to Cazenovia Creek Cazenovia Creek Bridge to Seneca St. Seneca St. to Center Rd. Center Rd. to Rt. 400 Rt. 400 to Clinton St. Clinton St. to French Rd.	17,500 23,400 29,700 32,000 28,100 20,700	1999 1999 2001 1999 1999 2001
Aurora Expressway (SR 400)	Expressway	Transit Rd. to Union Rd. Union Rd. to Seneca St. Seneca St. to I-190	30,200 42,300 43,700	2000 1999 2000
Orchard Park Road (SR 240)	Principal Arterial	Union Rd. to Ridge Rd. Ridge Rd. to Potters Rd. Potters Rd. to Seneca St. Seneca St. to Mineral Springs Rd. Mineral Springs Rd. to Clinton St.	13,700 15,500 17,100 12,000 42,100	1999 1999 2001 1999 2001
Harlem Road (SR 240)	Principal Arterial	Reserve to Rt. 187	15,700	2001
Southwestern Boulevard (SR 20)	Principal Arterial	Rt. 187 to Rt. 16 Rt. 16 to Rt. 400 Rt. 400 to Bullis Rd. Bullis Rd. to Clinton St. Clinton St. to French Rd.	17,700 18,300 28,100 18,700 25,200	1999 2001 1999 1997 2000
Southern tier Expressway (SR 219)	Expressway	I-90 access to Ridge Rd. Ridge Rd. to I-90	39,500 46,400	1998 2000
New York State Thruway (I-90)	Interstate	Milestrip to Ridge Rd. Ridge Rd. to Rt. 400 Rt. 400 to I-190	46,200 89,500 108,800	2003 1999 1999

\*As of 2002 (newer counts are available on some sections).

## **Air**

The Niagara Frontier Transportation Authority (NFTA) operates the Buffalo Niagara International Airport, the regional airport serving Western New York. The Buffalo-Niagara International Airport (BNIA) is located approximately 7.5 miles from the center of West Seneca, easily accessible within 30 minutes by car. The BNIA provides an average 100 daily flights with nonstop service to 24 cities. With recent terminal, airside and parking improvements, the BNIA provides West Seneca residents and business flyers convenient and adequate air service.

Buffalo Airfield is a private facility open to the public. The airport has a 2,668 foot runway and is located on approximately 57 acres on Clinton Street. As of June 2003 the flight school, aircraft rental and flight tours of Buffalo and Niagara Falls, were indefinitely suspended.

## **Rail**

West Seneca contains two freight-service rail lines. One runs north south, crossing the I-90 in the southwestern section of town and continuing north diagonally towards Union Road and the town of Cheektowaga. The line running east-west along the Aurora Expressway operates local freight service to the North America Center Industrial Park in West Seneca through CSX, Norfolk Southern Rail Corporation, and Depew, Lancaster & Western Railroad Company, Inc.

## **Recreational Paths and Trails**

Erie County has been granted \$1.08 million in CMAQ funding for the proposed Seneca Creek Pathway and is contributing an additional \$270,000 in County funds for the \$1.35 million dollar project. New York State Department of Transportation (NYSDOT) Congestion Mitigation Air Quality Improvement (CMAQ) program provides funds to specifically address air pollution generated by transportation. ISTEA encourages the examination of alternatives to constructing additional capacity when trying to meet the transportation needs of urbanized areas.

## **D. Cultural**

### **Educational Facilities**

The Town of West Seneca School district is providing educational services to 7,636 students in the 2002/2003 school year. With approximately 1,100 full-time employees, it is the largest single employer in the Town. The West Seneca School District incorporates most of the Town of West Seneca, and school district boundaries extend into neighboring Towns of Cheektowaga, Hamburg (north of Lake Avenue) and Orchard Park (south of Michael and west of Southwestern Boulevard, See Map 7). Most residents of West Seneca are within the West Seneca School District. There are two areas in the Town which are served by other school districts: a small corner of the Town north of Cayuga Creek is in the Cheektowaga-Sloan School District, and a portion of the southeastern corner of the Town is in the Orchard Park School District.

The West Seneca School District maintains a total of twelve schools. There are seven elementary schools, two middle schools, two standard high schools and an alternative high school. There are also six private schools within West Seneca. Four are affiliated with the Catholic Diocese, and offer education from pre-K programs through 8<sup>th</sup> grade. Trinity Lutheran School, associated with Trinity Lutheran Church, also runs from pre-K through 8<sup>th</sup> grade. The other two private schools are Christian schools that offer educational programs from kindergarten through 12<sup>th</sup> grade. St. John Vianney Catholic School also serves residents of West Seneca although it is not located within West Seneca.



<b>West Seneca Schools</b>		
Public Schools	Address	Type of Facility
East Senior High School	4760 Seneca Street	High School
West Senior High School	3330 Seneca Street	High School
Alternative Learning Center	900 Mill Street	High School (alternative)
East Middle School	1445 Center Road	Middle School
West Middle School	395 Center Road	Middle School
Allendale School	1399 Orchard Park Rd.	Elementary
Clinton Street School	4100 Clinton Street	Elementary
East Elementary School	1415 Center Road	Elementary
Northwood Elementary	250 Northwood Road	Elementary
Potters Road School	675 Potters Road	Elementary
West Elementary School	1397 Orchard Park Road	Elementary
Winchester	650 Harlem Road	Elementary
Private/Parochial		
Center Road Christian Academy	412 Center Road	K-12
Fourteen Holy Helpers	1339 Indian Church Road	Pre-K-8
Queen of Heaven School	839 Mill Road	Pre-K-8
Saint Bonaventure School	2784 Seneca Street	Pre-K-8
Trinity Lutheran School	146 Reserve Road	Pre-K-8
West Seneca Christian School	511 Union Road	K-12

Fig. 7

## Parks and Recreation

The Town of West Seneca maintains an extensive system of local parks, playgrounds and recreational facilities, including an indoor skating rink, a swimming pool, and a large soccer complex (See Community Features Map 8). In addition, the West Seneca School District maintains athletic facilities and playgrounds at their schools, which are available to local residents when not needed for school activities.

Recreational programs and activities are offered directly through the Recreation Department, and through sports associations. Youth programs include baseball, girl's softball, little league football and cheerleading, hockey, soccer, swimming, gymnastics, basketball, and theatre. A playground program is available for youths over the summer months. The Town also operates the Kiwanis Youth Center Recreation Room, which offers games and activities, and monthly dances. Adult programs include baseball, basketball, hockey, and tennis.

<b>West Seneca Parks and Playgrounds &amp; Recreational Facilities</b>	
<b>Park</b>	<b>Facilities</b>
Centennial Park Union Road (behind Town Hall)	18.2 acres. Sports fields: volleyball, basketball, baseball; Swimming: inground pool, wading pool; Indoor ice rink; Playground; Picnic facilities (tables, shelters, grills); Band shell, batting cages, Community Recreation center (Kiwanis)
Harlem Road Park Harlem Road	13.5 acres. Sports fields: soccer, basketball, baseball; Walking paths; Playground; Picnic facilities (tables)
Mill Road Park Mill Road	9 acres. Nature trails; Picnic facilities (tables)
Sunshine Park East and West Road	66.6 acres. Sports fields: soccer, basketball, baseball; Nature trails and walking paths; Playground; Picnic facilities (tables); Sledding Hill (new)
Volunteer Fireman's Park, East and West Road	22.35 acres. Sports fields: soccer, tennis, basketball, baseball; Playground; Picnic facilities (tables, grills, shelters)
Westgate Park Chippewa Street	4.7 acres. Sports facilities: basketball, baseball; Playground; Picnic facilities
West Seneca Soccer Complex	49 acres Soccer fields; walking paths, playgrounds, basketball
Briarwood Park Briarwood Drive	Playfield: basketball and baseball, playground
Dorrance Park Dorrance Avenue	Playfield: basketball, baseball, playground
Fisher Court Fisher Road	Playfield: basketball, playground
George Mueller Park Indian Church Road	Playground
Knox Park Knox Avenue	Playfield: basketball and baseball, playground
Charles E. Burchfield Art & Nature Center 2001 Union Road	29 acres. Nature trails, specialized gardens; Museum with art gallery, amphitheater, meeting rooms; Art and nature programs, concerts, lectures and other programming
Dirkson Park Harlem Rd. (by I-90 and 400)	Playfield: playground
Tim Russert Park	Playfield: playground, walking paths
Skate Park*	Skateboarding facility
YMCA*	Private family recreation facility, Swimming programs, exercise programs, basketball, track
Spinner's Family Skate Center*	Indoor Roller Hockey

\*Privately owned facilities

Fig. 8

### Communities and Hamlet Locations

The Town of West Seneca historically grew out of two settlements: Ebenezer, centered around Seneca Street and Union Road, and Gardenville, located at Union and Clinton. The vestiges of these settlements remain as hamlet centers in the Town at these locations. In addition, there are a number of established neighborhoods in West Seneca that maintain their own identity as residential areas.

### Historic and Architectural Resources

The Town of West Seneca has many historic buildings and homes, particularly in the area of the original hamlets. The West Seneca Historical Society has identified nine of these sites that are of particular importance. Two of these sites are currently operated as museums: the West Seneca Historical Society Museum, and the Charles E. Burchfield Nature and Art Center. There are also numerous archeologically sensitive sites in the Town, but these cannot be shown on mapping in the Comprehensive Plan. These sites can be referenced through the State Historic Preservation office.

<b>West Seneca Historic Sites</b>	
Site	Description
Christian Metz home 12 School St.	Home of Christian Metz, leader of Ebenezer Society (original settlers). One of oldest buildings in West Seneca, the house pre-dates the Ebenezer settlement, which was established in 1843.
Fourteen Holy Helpers Church 1345 Indian Church Rd.	Site of First Ebenezer Meeting House, or Middle Ebenezer Church. Fourteen Holy Helpers Church was established on the site in 1864.
Heritage Inn 1954 Union Road *Burned down during the completion of this plan.	Built in the 1840's, the building was originally the Middle Ebenezer Society print shop, book bindery and kitchen house.
West Seneca Historical Society Museum 919 Mill Road	Museum is in Ebenezer home built in the 1840's. Originally located on Main Street, moved to present location in 1957 and enlarged. Museum includes artifacts from many periods of West Seneca history.
West Seneca West Senior High School site 3330 Seneca Street	Site of original Onondaga Village of Chief Big Sky. Historical marker at Ridge Road and Seneca Street marks the site.
Mayer Bros. Cider Mill 1540 Seneca Creek Road	Building was purchased from Amana Society (formerly Ebenezers). Mill began operation in 1852 by Jacob Mayer. The business is still family-owned, with some operations still housed in original building.
Lower Ebenezer Cemetery 753 Main Street	Recently restored historic cemetery. Approximately 50 of original settlers buried at this location.
Christian Ulrich burial site Trinity Lutheran Church Cemetery 146 Reserve Road	Christian Ulrich was a notable early resident of West Seneca. He was on the posse that captured John Wilkes Booth, assassin of President Lincoln.
Home and Studio of artist Charles Burchfield, located at site of Charles E. Burchfield Center 3574 Clinton Street	Charles Burchfield's home and studio was located in the building at the rear of the property. A park and art center bearing his name are now located on the property.

Source: West Seneca Historical Society, Inc. Fig. 9

## E. Economic

### Workforce Profile

West Seneca has a diverse economy. The largest single employer in the Town is the West Seneca School District, which has a total of 1,117 full-time equivalent employees.<sup>1</sup> Major employers outside the public school system include the West Seneca Developmental Center and Fleet Services, who each employ 600 or more employees. The following table summarizes major employers in West Seneca. In addition, there are many small businesses that provide employment opportunities for local residents.

<b>Largest Employers in West Seneca, 2003</b>		
<b>Business Name</b>	<b>Estimated Employment*</b>	<b>Industry</b>
West Seneca School District	1,117	Education
Erie One BOCES	837	Education consortium
Fleet Bank Services	600	Collections
West Seneca Developmental Center	565	Healthcare provider
Multisorb Technologies	341	Packaging information
Adelphia/Sports Network	285	Cable TV/Communications
Lifetime Health Services	250	Healthcare services
Tops Friendly Markets	240	Grocery retailer
Certo Brothers	208	Distribution
Visteon Climate Control Systems	191	Auto parts mfg./distribution
Roadway Express	185	Freight distribution
Delavan Industries	185	Manufacturing
Allied Systems	165	Vehicle distribution
Bile's Information Technologies	150	Information Storage
Wegmans Food Markets	150	Grocery retailer
Home Depot	100	Home improvement retailer
American Homecare Supply	90	Healthcare services

\*Employment estimates are converted to full-time equivalents. Two part-time employees are equivalent to one full-time employee

Source: West Seneca Development Corporation

Fig. 10

In 2000, 22,652 residents of the Town were in the labor force, which means they were employed or actively looking for work. This represents 63.8 percent of all residents aged 16 or older. Of residents in the labor force, 95.9 percent were employed, and the unemployment rate within the Town was 4.1 percent. In comparison, the unemployment rate for Erie County residents in 2000 was significantly higher, at 7.3 percent.

The greatest proportion of West Seneca residents work in the Services sector, which employs 42 percent of all workers in the Town, primarily in the Education, Health and Social Services fields. Wholesale and retail trades employ 18 percent, and 15 percent of resident's work for manufacturers.

According to Census figures on place of work, approximately 21 percent of all residents of West Seneca, who are employed, have jobs that are located within the Town. The remaining 79

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<sup>1</sup> Part-time jobs equate to 0.5 full-time jobs.

percent of employed residents work outside the Town of West Seneca. The vast majority of those commuting outside West Seneca are working within the Buffalo metropolitan area. The majority of workers in West Seneca are in "white collar" jobs. Approximately one-third of residents classify themselves as in management or professional occupations, while a similar proportion are in sales and office occupations. Approximately 22 percent are in what would be considered traditional "blue collar" occupations (construction, maintenance, production, transportation, and material moving).

Median household income in West Seneca was \$46,278 in 2000. This is approximately 20 percent higher than the Erie County median. About a quarter of households in the Town have incomes ranging from \$50,000 to \$74,999. About 11 percent earn less than \$15,000 annually, while 7.5 percent have incomes of \$200,000 or more.

Poverty rates are comparatively low in West Seneca. Three percent of all families, and 4.6 percent of individuals are classified as living below the poverty level. In Erie County, the rates are roughly three times as high: over 9 percent of families and 12 percent of individuals live in poverty.

### Commercial Activity

Southgate Plaza, on Union Road at Seneca Street, is the equivalent of the "central business district" for the Town of West Seneca. The plaza has a variety of shops and services, with over 100 office and retail tenants.

There are four major business parks in West Seneca. North America Center (NAC) is the largest, with a total acreage of 400 acres. NAC is a light-industrial park, focusing on manufacturing, warehouse/distribution, research and development and office uses. Approximately 225 acres remain available, or 56% of available space. As discussed in the zoning section, this park has an overlay designation, designed to expedite permitting requirements for potential tenants.

Two of the other three parks are fully occupied with industrial manufacturing uses. A newer park, the West Seneca Commercial Center, is a 13-acre park designated for light industrial uses that currently has no tenants. All these parks have full services (water, sewer, gas, electric, telephone), and are zoned for industrial uses.

<b>West Seneca Business Parks</b>				
		Total Acres	Available Acres	Comments
North America Center	Manufacturing, Warehouse, Distribution, R&D, Office	400	225 (56%)	Rail, internal roads, all services
Empire Drive	Industrial Manufacturing	50	0 (0%)	Rail, internal roads, all services
Great Lakes Industrial Park	Industrial Manufacturing	40	0 (0%)	Rail, internal roads, all services
West Seneca Commercial Ctr	Light Manufacturing, office, distribution, R&D	13	13 (100%)	No rail, no internal roads, all other services

Fig. 11

Additional commercial activity is scattered throughout the Town of West Seneca. A more complete discussion of commercial activity is included in the land use section of this report.

## F. Land Use / Zoning

### Existing Land Use Patterns

The overall land use pattern in West Seneca is one of mixed uses within a predominately residential background. The Town is fairly developed with much of its land area built-out. The Existing Land Use Map (9) and the Digital Orthoimagry Map (10) help depict the existing land use of the Town. There are pockets of vacant land, agricultural properties and generally under-utilized property that will be considered available for development within the current planning horizon.

This land use pattern is typical of Erie County's first ring suburbs that evolved from several independent hamlets into a bedroom community linked to the City of Buffalo, and near-by suburban towns sharing employment centers, entertainment and commercial activities. A defining feature in West Seneca is the lack of a village within its borders. Villages tend to include the oldest and most dense residential and commercial neighborhoods and serve as the focal point in a suburban town. They also have a mix of commercial uses that are at a size and density compatible with the surrounding residential neighborhoods. The lack of a Village is one reason why West Seneca developed in a pattern that does not have a prominent center or 'downtown' area.

### Land Use by Area

<b>West Seneca Land Use By Category, 2002</b>	
	<b>Acres</b>
Residential	5,811
Commercial	665
Industrial/Manufacturing	523
Government /Public	1053
Agriculture	193
Parks/Recreation	235
Vacant	2035
Other	674
Total	11,189

Fig. 12

### Residential

West Seneca is essentially a residential community with numerous individual neighborhoods. The majority of residential lots are less than one acre in area. Distinct neighborhoods are located in the Ebenezer, Gardenville, and "city line" areas. The older residential developments exist surrounding the historic centers of Ebenezer and Gardenville. Housing development in the 1960's and 70's began to extend off the main streets into newer subdivided neighborhoods off of Clinton Street, Seneca Creek Road, Center Road, Seneca Street, East & West Road, and Reserve Rd. Due to the natural barriers formed by the creeks and the man-made barriers created by the highway and rail systems, many distinct neighborhoods developed independent from each other. Today, newer residential development occurs as infill within existing neighborhoods and on the outskirts of neighborhoods bordering Orchard Park and Elma.

## Commercial

There are several distinct commercial areas in West Seneca. The perceived "center" of commercial activity follows Union Road between the Aurora Expressway - Route 400 to Cazenovia Creek and is focused in the area between the Town Hall and the Southgate Plaza. Small stores and restaurants, comprising approximately seventy-five commercial properties characterize this area. The business district along Union Road is anchored by Southgate Plaza, which contains a mix of 106 stores and business offices utilizing approximately 550,000 square feet on a site of approximately 33 acres.

Seneca Street between Union and Ridge has a similar mix of small business and residential homes. In this area, homes have been converted to commercial properties. This pattern of commercial development occasionally has less impact on the character of the community than if homes are assembled and razed for construction of new commercial buildings.

The Ridge Road / Seneca Street / Orchard Park Road area has been developed in the more recent past with larger scale or regional commercial uses. The most significant changes recently have been the re-location of the Tops supermarket (the original remains vacant) construction of Home Depot store and Wegmans supermarket and demolition of the Seneca Mall. It is anticipated that this area will continue to attract re-development and in-fill opportunities.

Transit Road has a mix of commercial uses in the north between Clinton Street and Route 400. The pattern is typical strip commercial development with little relationship or interconnectivity between the individual properties.

Clinton Street from the center of Town to the east is scattered commercial activity and neighborhood services. Commercial uses along Clinton west of Union Road are characterized by smaller owner operator enterprises.

## Industrial/Manufacturing

There are three business/industrial parks in West Seneca, the North America Center Industrial Park (NAC) off Union Road, Empire Drive and Great Lakes Industrial Park. Empire Drive and Great Lakes total 90 acres and are built-out. This leaves NAC's approximately 260 vacant acres (of the original 400 total) available for future development. The NAC has infrastructure in place, including rail access. There are 34 individual lots ranging in size from 2 to over 20 acres that can be combined or developed individually. At this time a level of pre-permitting under the New York State's 'Build Now New York' initiative has been completed for the NAC. Target industries that have been subject to evaluation under a Supplemental Generic Environmental Impact Statement include: high technology – computer related manufacturing; medical products manufacturing; office operations – call centers; specialty chemicals and plastics packaging; and startup incubator (R&D) facilities.

Other key industrial uses distributed throughout Town outside the industrial parks include: National Fuel Gas on Mineral Springs Road, Adelphia Communications also on Indian Church Road, Mayer Brothers on Transit Road, Buffalo Crushed Stone and ABC Paving on Seneca Street.

## Institutional Uses and Public Facilities

Institutional uses such as schools and churches are distributed throughout the community. There are 12 public schools within the West Seneca School District. There are also 6 private or parochial schools. Major activity centers at West Seneca West and West Seneca East High

Schools. Within the Town there are 14 churches, half of which are on or near the Union Road corridor.

West Seneca town facilities are centered in the Centennial Park area on Union Road between Legion Parkway and Main Street. The Town Hall, library, recreation department, pool, ice rink are each in separate facilities within this complex. In the Town Hall are located the various administrative offices along with Town Court, police and Engineering. The Senior Center (Seneca Street), Highway Garage and Maintenance and Grounds (South Avenue), Charles E. Burchfield Art and Nature Center (Union) and Historical Society (Mill Road) are each located in facilities remote from the Town Hall complex, but generally within the Union Road corridor. Town facilities are generally found to adequately serve the Town's needs. Through public input it was heard that upgraded or expanded facilities should be considered for the Police, Senior Citizens, youth services and library.

West Seneca Developmental Center (WSDC) represents the single largest institutional property in West Seneca. It currently occupies a campus of over 40 buildings on approximately 495 acres located between East and West Road and Cazenovia Road. The site also contains large areas of undeveloped woods along the creek. The WSDC has been identified as one of the areas most likely to be re-developed within the planning horizon due to the restructuring and cutback on residential services provided on-site by the State Department of Mental Health. In June 2000, the Town conducted a study on the redevelopment of the WSDC which recommended a series of overlay zones and new zoning districts in order to accommodate residential development.

## Zoning

### Existing Zoning Ordinance and Zoning Map

The primary mechanism that the Town utilizes to regulate land use is Chapter 120, of the Code of the Town of West Seneca, known as the "Zoning Ordinance of the Town of West Seneca". The Zoning Ordinance consists of both text and maps, as adopted and amended by the Town Board. Zoning map amendments from 1963 to the present are included in an appendix to the code.

The Zoning Map depicts the division of the town into individual districts. Each district represents a given set of allowed land uses and dimensional parameters within which new buildings must fit. The Town is divided into a total of thirteen (13) zoning districts. These districts can be grouped into one of three categories, residential (9), commercial (2) or manufacturing (2). The Industrial Park Overlay Review District is described for the area around the North America Center.

The existing zoning is based on a map and model first adopted in 1964. The zoning is pyramidal in nature, as each district has higher or more intensive uses; they also include those uses allowed in next lower district. Therefore, and with few exceptions, the most intensive district cumulatively allows all the possible land uses.

The zoning code has periodically been amended and has sufficiently provided the Town the regulatory control to adequately address development applications over the years. However, the code can be updated in order to include processes and regulations that better treat anticipated re-development activities in the future. A wider variety of zoning tools such as overlay districts, design guidelines, and mixed-use districts, and site plan review would better protect the established land use patterns and guide new development.

Figure 13 summarizes the height and bulk requirements and allowed uses for each of the fourteen existing zoning districts. Each grouping of districts is described in the sections following the table.



**Figure 13: Town of West Seneca Zoning Summary**

District	Pertinent Bulk Regulations			Allowed Uses
R-90 Residence District	Min. Lot Size: 12,000 sq.ft. Min. Lot Width: 90 ft. Min. Front Yard: 30 ft. Min. Rear Yard: 30 ft. Min. Side Yards: 20 ft. (combined) Min. Bldg. Size: 1,500 sq.ft.			Single-family dwelling, churches, private or non-profit elementary or secondary school, and cemeteries. Accessory uses include: private garage or off-street parking, private swimming pool, building for horticultural purposes, private stable, storage of trailers and boats.
R-75 Residence District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 10,000 sq.ft. 75 ft. 30 ft. 30 ft. 10 ft. 1,100 sq.ft.	<u>2nd unit</u> +1,350 sq.ft. +10 ft. -- -- -- +500 sq.ft.	
R-65 Residence District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 8,500 sq.ft. 65 ft. 30 ft. 30 ft. 10 ft. sq.ft.	<u>2nd unit</u> +1,350 sq.ft. +10 ft. -- -- -- +500 sq.ft.	
R-100A Residence District	Min. Lot Size: 20,000 sq.ft. Min. Lot Width: 100 ft. Min. Front Yard: 40 ft. Min. Rear Yard: 50 ft. Min. Side Yards: 20 ft. (combined) Min. Bldg. Size: 900 sq.ft.			Single-family dwellings, <b>agricultural operations</b> , churches, private or non-profit elementary or secondary school, and cemeteries. By Special Permit: Veterinarian, small animal hospital or kennel, radio towers and transmitting stations, and a commercial picnic grove. Accessory Uses include: those allowed in the R-90A, R-75A and R-65A districts, plus seasonal display/sale of local produce, parking of equipment and commercial vehicles and refreshment stands at commercial picnic groves.
R-50 Residence District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 8,500 sq.ft. 50 ft. 30 ft. 30 ft. 10 ft. 900 sq.ft.	<u>Each add. unit</u> +5,000 sq.ft. +10 ft. -- -- 25 ft. 1,200/+500 sq.ft. (for 3+ units)	Single-family dwellings, two-family dwellings churches, private or non-profit elementary or secondary school, and cemeteries. By Special Use Permit: Group and <b>Multi-family dwellings</b> . Accessory uses as include: those allowed in R-90A, R-75A and R-65A districts.

District	Pertinent Bulk Regulations			Allowed Uses
R-90A Residence District	Min. Lot Size: 12,000 sq.ft. Min. Lot Width: 90 ft. Min. Front Yard: 40 ft. Min. Rear Yard: 30 ft. Min. Side Yards: 20 ft. Min. Bldg. Size: 1,500 sq.ft.			Single-family and <b>Two-family dwellings</b> , churches, private or non-profit elementary or secondary school, cemeteries, and fire stations. Accessory uses include: those allowed in R-90, R-75, R-65 districts, plus offices of a <b>resident</b> medical physician, dentist, lawyer, engineer, architect, accountant insurance agent, real estate agent (or similar professions), home occupations, not more than 2 roomers, parking for not more than 1 commercial vehicle.
R-75A Residence District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 10,000 sq.ft. 75 ft. 40 ft. 30ft. 10 ft. 1,100 sq.ft.	<u>2nd unit</u> +1,350 sq.ft. +10 ft. -- -- -- +500 sq.ft.	
R-65A Residence District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 8,500 sq.ft. 65 ft. 40 ft. 30 ft. 10 ft. 1,200 sq.ft.	<u>2nd unit</u> +1,350 sq.ft. +10 ft. -- -- -- +500 sq.ft.	
R-60A Residence District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 10,000 sq.ft. 60 ft. 40 ft. 30 ft. 10 ft. 1,200 sq.ft.	Each add. unit +5,000 sq.ft. +10 ft. (to 100) -- -- 25 ft. 1,200/+500 sq.ft. (for 3+ units)	

District	Pertinent Bulk Regulations			Allowed Uses
C-1 Commercial District	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 10,000 sq.ft. 60 ft. 40 ft. 30 ft. 10 ft. 1,200 sq.ft.	<u>Each add. unit</u> +5,000 sq.ft. +10 ft. (>100) -- -- 25 ft. 1,200/+500 sq.ft. (for 3+ units)	R-60A uses, retail sales, including seasonal displays; personal service establishments; laundry facilities; dry-cleaner; business and professional offices; radio, television and household appliance service and repair; amusement enterprises; shopping centers; drive-in banks; hotel/motel, with or without restaurant establishment, and day-care centers. Accessory uses include: shops for manufacture or processing of articles incidental to the retail business, outdoor coin-operated vending machines (with special use permit), outdoor sales of fruits and produce.
C-2 Commercial Districts	<u>Min.</u> Lot Size: Lot Width: Front Yard: Rear Yard: Side Yards: Bldg. Size:	<u>1st unit</u> 10,000 sq.ft. 60 ft. 40 ft. 30 ft. 10 ft. 1,200 sq.ft.	<u>Each add. unit</u> +5,000 sq.ft. +10 ft. (to 100) -- -- 25 ft. 1,200/+500 sq.ft. (for 3+ units)	C-1 uses, Commercial greenhouses, marine sales, machine tool/farm equipment sales, monument sales not including production, and bus terminal facilities, millwork, warehouses, custom shops, dry-cleaning, cider mill, creamery/bottling plant, grain/feed sales, public utility facilities, <b>restaurants</b> , and small animal hospital/kennel uses. Special Use Permit: Drive-in Theater, golf range, <b>new/used auto sales</b> , and mobile home parks. Accessory uses include: those allowed in the C-1 district.
M-1 Industrial District	Min. Lot Size: 12,000 sq.ft. Min. Lot Width: 90 ft. Min. Setback: 25 ft. (50ft. Specific uses) Min Rear Yard: 10/50 ft. Min. Side Yards: 20/100 ft. (combined)			C-2 uses ( <b>except residential dwellings</b> ), laboratory, manufacturing, specified agricultural, Major power transformer stations, and petroleum storage tanks. Special Use permit: Adult uses, and Airfields. Accessory uses include: those allowed in the C-2 district, plus quarters for caretaker or watchman.
M-2 Industrial District	Min. Lot Size: 12,000 sq.ft. Min. Lot Width: 90 ft. Min. Setback: 25 ft. (50ft. Specific uses) Min. Rear Yard: 10/75 ft. Min. Side Yards: 20/150 ft. (combined)			
Industrial Park Overlay District	Min. Lot Size: 2 acres Min. Lot Width: 150 ft. Min. Front Yard: 50 ft. Min. Rear Yard: 20/50 ft. (M-1) 75 ft. (M-2) Min. Side Yards: 10/50 ft. (M-1) 75 ft. (M-2)			Development of high technology, research, development, manufacturing, offices, and related support services. <b>Restricted Use Permit</b> : any use or additional uses for which are defined under the existing zoning code.

## Residential

The West Seneca Zoning Map depicts nine separate residential districts, R-100 A, R-90, R-90 A, R-75, R-75 A, R-65, R-65-A, R-50 and R-60A. The majority of the Town's land area is located in one of the nine residential districts. With few exceptions, the residential districts are large contiguous areas with smaller commercial districts scattered throughout. Union Road, Seneca Street and Transit Road each have commercial districts that border the large areas of residentially zoning land.

In the R-90, R-75 and R-65 Residence Districts, permitted uses primarily include single family dwellings, churches, and schools. The main differences between them are the minimum required lots areas and minimum lot widths. The majority of the southern portion of Town is located in the R-75 district while the area north of Route 400 is located in the R-65 district.

In the R-90 A, R-75 A and R-65 A Residence Districts, the "A" suffix signifies that two-family dwellings are also allowed as permitted uses, as well as fire stations and home offices (medical) and home occupations.

In the R-100 A Residence District agricultural operations are allowed in addition to the residential uses in R-90 A, R-75 A, and R-65 A district. In addition, commercial picnic groves and radio transmission towers are also allowed.

In the R-50 Residence District the same uses are allowed as in the R-90 A, R-75 A and R-65 A districts (including two-family dwellings) plus multiple-family housing is allowed with Special Use permit authorized by the Town Board.

In the R-60 A Residence District the same uses are allowed as in the R-50 (including two-family dwellings), however several non-residential uses are also allowed, including: professional offices (not-retail), studios, fire stations with club facilities, private clubs, institutional related medical uses, college and library uses.

A significant feature of the various residential districts is that only three districts (R-90, R-75 and R-65) do not allow two-family homes and home offices and home occupations.

## Commercial

There are two commercial categories in West Seneca zoning, the C-1 and C-2 Commercial Districts. As with the various Residence Districts, the commercial districts are pyramidal or cumulative in nature. They also allow the same uses as the R-60 A Residence District, which includes all the higher residential uses.

Briefly described, the uses allowed in the C-1 Commercial District include; all residential uses, retail sales, personal service establishments, Laundromat, dry-cleaning, business and profession offices, alliance repair, amusement enterprises, shopping centers, drive-in banks, hotel/motels, and day care centers.

In the C-2 Commercial District, the same uses are allowed as in the C-1 Commercial District (including all residential) plus: commercial green houses/nursery, boat and marina sales, machine, tool and garden equipment sales, monument sales, bus terminals, building material supply, warehouse, custom shops, laundry/dry-cleaning plants, cider mill/bottling plant, contractors' yard, public utilities service facilities, animal hospital, restaurants. In addition, several uses are allowed by Special Use permit from the Town Board; drive-in theater, golf

driving range, motor vehicle sales/service and gasoline sales, eating or drinking establishments w/entertainment, and mobile home parks.

There are several nodes of commercially zoned property in West Seneca. However, the majority of commercial zoning is strip commercial in nature, limited to the frontage lots along the main roads such as Union Road, Seneca Street, Ridge Road, Transit Road, and Orchard Park Road.

While the two commercial districts are evenly dispersed through the town, there is a significant difference between the uses allowed. The more intensive uses in terms of land area and physical impacts are allowed within the C-2 Commercial District, including automotive related uses. Restaurants, a high traffic generator, are only allowed in the C-2, while shopping centers and office facilities are allowed in both C-1 and C-2.

### **Manufacturing**

There are two industrial or manufacturing zoning districts in West Seneca, the M-1 and M-2 Manufacturing Districts. Similar to the commercial districts, the manufacturing districts are also cumulative in nature and allow all the uses in commercial and residential districts. The key exception is that permanent dwellings are not permitted in either manufacturing district.

Other uses allowed in the M-1 Manufacturing District include: laboratory, manufacturing/compounding/assembling of merchandise, adult uses by special permit authorized by the Town Board, airfield, agricultural uses, power transformers, and petroleum storage.

In the M-2 Manufacturing District all the uses allowed in the M-1 district are allowed plus: railroad yard and repair facilities, public utility storage yards and truck terminals. Several additional land uses are with Special Use approval from the Town Board. They include concrete products, cement plant and bituminous products.

While there is not one distinct manufacturing area in West Seneca, there is larger pattern of manufacturing districts that follow the railroad lines throughout the north central portion of Town and along the Thruway and Route 400 corridors. In many locations, manufacturing and residential districts adjoin. The zoning addresses some special regulations when these conditions occur.

Article IIA of the Zoning Code contains regulations and procedures for the Industrial Park Overlay Review District. At this time this overlay district only applies to the existing North America Center Industrial Park off Union Road and north of the Route 400 expressway. The overlay district is beneficial in several ways in that it established enhanced requirements to better control the development of a modern industrial park with minimum impacts to the surrounding residential community. Development occurring within the overlay district is subject to site plan review through a Restricted Use Permit from the Town Board. Within the Industrial Park Overlay District the Restricted Use Permit is used in lieu of the Special Use permit. Subdivision regulations are the jurisdiction of the Town Board within the Overlay District, as opposed to the Planning Board as typically applied in other districts. In addition, specific land uses are listed as permitted and prohibited as well as height and bulk requirements and landscaping requirements. Added in 1992, the Industrial Park Overlay Review District is one of the more powerful tools in the Zoning Code, many elements of which can be applied to other uses and areas in West Seneca.

### *Special Use Permits*

As noted in the district descriptions above, Section 120-23 of the Zoning Code authorizes the Town Board to approve certain uses in each district by Special Use permit. Review of Special Use permit applications allow the Town the opportunity to consider the exact proposal in relation to the definite site and neighborhood in order to identify any potential incompatibilities of special circumstances. These are uses that are generally allowed in the district, but require additional review by the Town. The Town Board has the authority to place conditions on Special Use permits in order to avoid or mitigate any potential problems. Approval of Special Use permits require submittal of a site plan, a public hearing by the Town Board and prior review/recommendation by the Planning Board.

On the Zoning Map an zoning district changes for projects that required a Special Use permit are depicted with a "(S)" indicating special conditions apply to the approval and that a site plan is on file for the project.

### *Site Plan Review*

Under the existing Zoning Code, site plans are not required for land uses that are permitted "by right" in various districts. Site plans are required in some instances, examples being; in conjunction with applications for Special Use permits, certain zoning district changes (those done for Special Uses) and, for projects within the Industrial Park Overlay Review district. The lack of wider use of Site Plan Review as a process has been identified as a deficiency in the existing Zoning Code.

### *Sign Regulations*

The use of temporary and permanent signage within the Town is regulated by section Article IIIA of the Zoning Code, Sign Regulations. The code regulates the use of non-commercial signage, illuminated signs, "For sale/rent/sold" signage, bulletin boards, awning signage, marquees, and specialty signs. The Town does not permit the use any type of moving, "flashing", or roof mounted signs. Residential signage is permitted but limited in size based upon single-family, two-family, and multifamily areas. Freestanding signage is limited to a height of 12 ft., while pedestal signage is limited to a maximum height of 25 ft. The Town Board is only responsible for reviewing and issuing permits for billboards, banners, specialty signs, marquees, freestanding signs of subsequent size, and signs located upon adjacent property, while signs for special exception uses are directed to the Planning Board for approval. The ZBA frequently is requested to vary the maximum height and size of proposed signs. The code does not provide maximums that the ZBA can approve.

### *Telecommunications Facilities*

Article IIIB of the Zoning Code regarding Telecommunication Facilities within the Town was adopted due to the increasing demand for such structures following the Telecommunications Act of 1996. The purpose of the local regulations is to accommodate the need for telecommunications towers and antennas, minimize adverse visual impacts, avoid potential property damage, and to require the joint use of towers to reduce the number of overall structures. Locations of new structures are limited to the M-1, M-2, C-1, C-2, and municipal or government owned property. Site plan applications are reviewed and approved by the Town Board. Towers are not permitted within 150 feet of an existing residential district. Towers located within commercial districts, exceeding 195 feet, are considered type-1 actions under the State Environmental Quality Review Act (SEQRA). Additional antennas are permitted by a building permit and restricted to a maximum height of 50 ft. above the existing structure.

### *Home Occupation Regulations*

The Home Occupation Regulations, located in Article IIIC of the Town Code, allow for complementary commercial uses to operate within residential neighborhoods. Home occupations are prohibited in the R-90, R-75, and R-65 districts. Uses are additional to the residential dwelling and limited to one per single-family dwelling. Restrictions include any use, which might change the principle character of the dwelling or neighborhood. The procedure for Home Occupation approval requires review by the Planning Board and review/approval by the Town Board.

### *Adult Uses*

Article IIID of the Town Code allows adult uses restricted to non-residential areas of the Town, specifically M-1 and M-2 districts. Although under §120-40.22 (Restrictions Affecting Adult Uses) M-2 districts are listed as the only allowable location for adult uses. The Town zoning code sets the distance to which an adult use relates to other adult uses or non-compatible uses by 1,000 feet. Adult uses are subject to approval or disapproval by application submitted to the Town Clerk based upon recommendations by the Building Inspector and Chief of Police.

### *Off Street Parking*

Article IV of the Town Code requires a specific number of parking spaces relevant to the use of a dwelling. The Zoning Board of Appeals approves parking requirements not complying with the Zoning Code. Off street parking is related to floor area for public facilities, restaurants, health or recreation clubs, and business - industrial uses, shopping facilities, and manufacturing uses. Loading and unloading spaces are required for retail establishments, uses utilizing loading docks, printing, publishing, storage establishments, and manufacturing establishments. Parking spaces are determined by 350 sq. ft. for standing and maneuvering access. Accessory uses do not require off-street parking unless they include retail sales, boat berths, restaurants or swimming pools. Group facilities are allowed in any C or M districts, requiring that the shared off-street parking contain the full sum of parking spaces required for both uses calculated separately.

### *Non-conforming Uses*

Article V of the Town Code restricts the continuation of non-conforming uses within the Town. Continuation of a non-conforming use does not include signage or a use, which has discontinued for one year. Cessation periods are required for non-conforming uses located within residential districts. A period of one year is given for the cessation of uses including junkyards, auto wrecking, motor vehicle storage, outdoor contractor's equipment storage, and adult uses. A three-year cessation period is placed upon the parking/storage of large commercial equipment, structures assessed under five hundred dollars, and any non-conforming accessory use. Gas stations and public garages are restricted to a 12-year cessation period except those located within R-60A residential districts. Non-conforming uses are subject to change to a higher classification of use or equal classification of use based upon the Town Zoning code. Non-conforming uses can not revert back to a lower standard of use after a higher classification has been approved. The Zoning Board of Appeals approves use classifications.

### **Zoning Trends**

The original zoning map adopted in 1963 and continuously amended through the present day reflects the modern history of development in West Seneca.

One way to identify trends in land use changes as well as identify deficiencies in a zoning code is to examine the nature and geographic distribution of variance application to the Zoning Board of Appeals.

## **Other Land Use Controls**

### *Subdivision Regulations*

The primary land use tool that the Town utilizes to review and approve the division of land into building lots is Chapter 103, Subdivision of Land, of the Code of the Town of West Seneca (Subdivision Regulations).

### *Tree Regulations*

The intent of Chapter 110, Trees is to maximize preservation and protection of trees on public and private property by requiring a tree removal permit for the cutting of trees over 4" caliper.

### *Environmental Quality Review*

Chapter 67, Environmental Quality Review requires town actions to follow the environmental review procedures pursuant to Part 617 of the Environmental Conservation Law. The ordinance authorizes a Technical Advisory Committee shall make SEQR determinations on projects involving an applicant.

### *Mobile Home Parks*

Chapter 80, Mobile Home Parks regulates the location and layout of a mobile home park similar to a subdivision plat requiring Planning Board review and recommendation to the Town Board. The Mobile Home Park Ordinance introduces a "Special Development Area" for the Zoning Map, assuming these results in a "s" similar to Special Use Permits. The process standards function as an overlay district or floating zone. Unlike other development issues, application is through the Town Clerk.

### *Junkyards*

Chapter 78A, Junkyards outlines the licensing requirements for operating a junkyard in conformance with local regulation. The Planning Board reviews location, fencing, landscaping/screening and arrangement and makes recommendation to the Town Board. The Town Board holds a public hearing prior to issuance of a license, which required annual renewal. Application process is through the Building Department.

### *Flood Damage Prevention*

Chapter 77, Flood Damage Prevention implements the Town's participation in the Nation Flood Insurance Program. Flood Plain Development Permits are required for activities within the Special Flood Hazard Areas mapped by the Federal Emergency Management Agency on the Flood Insurance Rate Maps. The Town Engineer has the responsibility to administer the local program by granting or denying development permits in accordance with the local regulations. Depending upon the use and flood zone new construction must have its lowest floor between the base flood elevation (BFE) and three feet above the BFE.



## **G. Infrastructure**

### **Sewer**

Sanitary sewer service in the Town of West Seneca is provided through numerous sewer districts owned and operated by either the Town of West Seneca or the Erie County Southtowns Sewage Treatment Agency. The majority of Town has the benefit of public sanitary sewers. The majority of the Town falls within one of nineteen (19) Town sewer districts. Almost the entire northern third of West Seneca (north of the Aurora Expressway) falls within the Erie County Sewer District No. 1. In the south-west corner (south of Ridge Road and west of Orchard Park Road) properties are located within Erie County Sewer District No. 3. There also are small areas along the southern and eastern borders that are located in sewer districts owned by the Towns of Orchard Park and Elma.

The Town of West Seneca maintains and operates the collection systems in its districts through the Sewer Division within the Engineering Department. Facilities also include three (3) pump stations and a partial treatment facility on Mineral Springs Road. All sewage is collected and transported to the Southtowns Wastewater Treatment Facility for full treatment. At this time the collection system has adequate capacity to meet the community's needs.

The Town of West Seneca is currently undertaking sanitary sewer rehabilitation projects within the town. These projects concentrate on the collector lines that feed the trunk lines along the major roadways. The purpose of these projects is to reduce the amount of ground water and storm water infiltration into the sanitary system (as consent order from the NYSDEC was issued in 2004).

Recent improvements to the sanitary sewer system have included the southwestern portion of the Town (Sewer District No.13). Anticipated future improvements are expected in the area of Elmsford and West Cranwood. All the improvements are a result of the existing infiltration problem as well as the NYSDEC's request to improve the Town's State Pollution Discharge Elimination System (SPDES). Initial indications are that the improvements have had an impact on the average daily flow to the sanitary sewer stations within the town.

In order to fully address the infiltration problems within Sewer District No.13, the Town has agreed to prevent sewer extensions to the district to outside sources.

### **Water**

Erie County Water Authority (ECWA) provides public water supply in the Town of West Seneca. Transmission and distribution of water is also a function of the ECWA. There are seven (7) Town water districts which cover approximately the eastern half of the Town. These districts are operated on a lease-management basis. Under this system the Town or private developer constructs water lines to county specifications and the completed system is then operated and maintained by the ECWA. The Town of West Seneca does not have a water department. The remainder of the Town receives direct service from ECWA.

The town currently has an elevated storage tank located on East and West Road, east of Sunshine Park. This tank is 59 feet in diameter and has a capacity of 500,000 gallons. The ECWA owns and operates the storage tank in conjunction with the Leydecker Pump Station. Both the tank and station help stabilize pressures within the service area.

Under existing conditions ECWA can adequately meet the demands within the existing water system in the Town of West Seneca.

## Drainage and Flooding

The Town of West Seneca has stormwater management systems that collect runoff and convey it via a network of closed pipe and open ditches to eventually discharge into one of the major creeks or their tributaries. The maintenance responsibility for the storm sewer system falls to the Town Highway Department. With proper maintenance and repair the drainage system adequately manages stormwater under normal conditions.

Certain areas along the major creeks are susceptible to flooding within the floodplains identified in the section on *Environmental Features* (see Map 3). Although significant in the areas where it occurs flooding is localized.

- Cayuga Creek
- Buffalo Creek
- Cazenovia Creek
- Smoke Creek
- Ebenezer Brook

The Town continues to construct and plan flood control projects to improve these flooding problems.

## H. Public Facilities

### Government

The West Seneca town government consists of a Town Board with a Supervisor, Deputy Supervisor, and three Councilmen. The Supervisor is an elected position and the Town Council includes four elected positions. The Comptroller position is appointed to handle the Town funds in relation to the Town Budget. Other elected positions include the Highway Department Superintendent, Town Justices, and Town Clerk. The Supervisor, Comptroller, Town Clerk, and Town Attorney are responsible for the day-to-day administration of the West Seneca government. The Town government also includes the following positions:

- Town Assessor
- Town Attorney
- Receiver of Taxes
- Town Prosecutor
- Town Historian
- Building and Plumbing Inspector

The Town Planning Board and Zoning Board of Appeals (ZBA) powers and responsibilities are granted pursuant to Town Code Chapter 28 Sections 1-4. The Town Board is responsible for appointing the membership of the Planning Board and ZBA. The Planning Board is delegated powers from the Town Board. Those powers include recommendations on zoning applications, site plan reviews (where applicable), approval or disapproval to the changes in the street design and maintenance, changes to the zoning map, and subdivision review. The Planning Board is advisory to the Town Board upon these development-related issues within the Town.

### Departments

The West Seneca Town Departments, listed below, include all the services typically provided by a municipal government.

- Police Department
- Recreation Department
- Department of Highways, Sanitation and Buildings & Grounds
- Engineering Department
- Department of Community Development

The Police Department includes 63 full time officers, 17 full and or part-time Public Safety Dispatchers and 13 civilian employees.

The Recreation Department coordinates youth programs and operates the facilities of the Town. Youth activities and services are a strong quality for the Town. Youth Recreation Programs include baseball, basketball, cheerleading, football, girl's softball, gymnastics, hockey, ice-skating, lifeguard training, summer playground activities, soccer, softball, swimming, tennis, volleyball, youth theatre, and youth dances.

The Department of Highways, Sanitation and Buildings & Grounds is responsible for refuse collection, municipal building and park system maintenance, and maintenance of 110 miles of roadways. The department utilizes a Highway Department Garage, Sanitation Department Building, and Animal Shelter. Refuse collection includes recycling services (mandatory by Town Law) and a large compost facility for yard waste. The Town owns 158 vehicles for these services. Winter roadway maintenance is supported by twenty trucks equipped with plows. The Buildings & Grounds Department maintains 10 municipal buildings and 13 park facilities.

### **Organizations & Other Agencies**

Within the Town, other agencies further serve the residents and business owners of West Seneca. Of these, the largest organizations include the West Seneca Development Corporation (WSDC), the West Seneca Chamber of Commerce, and the West Seneca Youth Bureau. The Chamber of Commerce works to enhance the image and success of the business community of West Seneca, while the WSDC works to promote economic growth and attract new commercial and industrial development within the Town. The West Seneca Chamber of Commerce offers services for business owners such as health and dental insurance, communications programs, free advertising programs, member to member business discounts, small business counseling, and a scholarship program. As a member of the Erie County Economic Development Alliance, the WSDC offers prospective businesses, services for real estate selection, permitting, inter-agency liaison, and as a resource of Town trends and statistics.

The West Seneca Youth Bureau enhances the youth activities and services already offered by the Town. The Youth Bureau provides most services to the community through volunteerism. Programs include Americorps, peer counseling, family mediation, Rent-A-Kid Program, Alternative Sentencing, PINS/JD Diversion Program, Youth Engaged in Service (YES), EPIC parenting workshop, Operation Giveback, and a School Intervention Service. The Americorps, YES, and Operation Giveback work at improving the community through volunteerism. The other programs offered try to help families troubled by unlawful youths.

Senior services are offered by the Senior Citizens Center. The Center offers monthly classes on specially related topics to seniors with a registered Town Senior Citizen ID card. Regular programs include van services to help residents get around Town, nutrition services to provide hot meals and a Retired Senior Volunteer Program to help seniors serve other area residents. Recently the Town added a new Senior Fitness Center in the lower level of the Senior Citizens Center.

West Seneca has six independent Fire Districts. The Volunteer Fire Department includes between 50-100 volunteers for each facility. The Town employs the fire dispatcher. There are seven fire station facilities located around West Seneca (Map 8). They include:

- East Seneca Fire Hall
- Union Fire Hall
- Winchester Fire Hall
- Reserve Fire Hall
- Seneca Hose Co. #1
- Vigilant Fire Co. #1
- Fire District #3 Station

### **Town Facilities**

The Town municipal offices are located in the Town Hall along with the Town Court and Police Station. The Town Hall is part of a grouping of community facilities located at Centennial Park on Union Rd. The park also contains the Town Library, Lion's Club Bandstand, Ice Rink, Kiwanis Center, and Town Pool. The Town Library has computer-media use and a child's play/reading area. The Town Pool is an open-air seasonal facility and the Ice Rink is an enclosed seasonal facility. The Kiwanis Center houses the Recreation Department offices and a youth center. The Police Station located within the Town Hall includes offices and a booking area with 5 holding cells. The Town has 12 marked patrol cars, one motorcycle unit, and 6 unmarked patrol cars. A police dispatch center is located within the Town Hall.

There are 15 Parks within the Town with recreation facilities ranging from passive areas and trails to fully lighted sports fields. As detailed in Section I-D, Parks and Recreation, the Town Park facilities include:

- Centennial Park
- Volunteer Fireman's Park
- Knox Park
- Charles E. Burchfield Art and Nature Center
- Harlem Road Park
- Briarwood Park
- Indian Church Park
- Dorrance Park
- Sunshine Park
- Dirkson Park
- Tim Russert Park
- Mill Road Park
- West Gate Park
- Fisher Court Park
- West Seneca Soccer Complex
- Future Seneca Creek Pathway

The Charles E. Burchfield Art and Nature Center located along the Buffalo Creek on Union Road at Clinton Street facilitates creek access for Town Residents (Map 8). Mill Road Park also allows residents creek-side recreation at Cazenovia Creek. The Town Senior Center situated along Seneca St. is an indoor recreation facility and meeting place for West Seneca's seniors.

## **SECTION II – VISION: GOALS AND OBJECTIVES**

## II. VISION: GOALS AND OBJECTIVES

The goals and objectives of a Comprehensive Plan express a vision of the Town's preferred future. They act as benchmarks or standards that future actions can be measured against. While the steps the community undertakes, and the projects it implements will change in response to changing circumstances, the goals will have long-term validity as a standard of action for the Town. They represent a general set of principles and priorities that can be used to guide future land use and policy decisions.

The goals and objectives for the Town of West Seneca focus on the major concerns and issues facing the Town, as elicited from Town leaders and residents through questionnaires, public meetings, focus groups, and other input gathered during the planning process. The goals and objectives for West Seneca were developed by analyzing the existing conditions along with the public's input of what the community should focus on for the future. The goals and objectives will help identify opportunities and constraints, from which recommendations can be formulated.

### A. Initial Issues from the Town

The goals and objectives for the Town of West Seneca were initially established when the Town determined it should develop a comprehensive plan. The planning process began with initial issues highlighted in the Town of West Seneca's Request for Proposal. The initial issues and needs that the Town identified included:

- Recognized need to update the Zoning Ordinance
- Guidance for future growth - Provide a basis for sound decision making
- Future infrastructure needs
- Natural resources protection
- Expedite desired development
- Direct redevelopment of older neighborhoods
- Redevelopment concepts for the West Seneca Developmental Center
- Implementation of Historic Preservation measures
- Develop a "Town Center"
- Develop a "Historic/Cultural District"

### B. Public Participation Process

The goals and objectives for the Town of West Seneca were continuously refined as public input was gained throughout the planning process. From these initial issues the early planning process has been directed by public input to establish the foundation of goals and objectives. Public participation is a critical element to the planning process. Public input throughout the formulation of the plan helps steer the document toward the citizens' vision. The planning process allowed many different opportunities to receive public input, including meetings, initial questionnaires, and email through a project website.

The initial Public Information Meeting was held on December 12, 2002 to introduce the comprehensive plan project and its purpose. A Public 'Focus Group' Meeting was held on March 11, 2003 to review initial comments and organize specified opinions on different categories. The final Public 'Charrette' Meeting held on August 14, 2003 evaluated the goals and objectives, along with findings and conclusions, to help formulate recommendations. Citizens also had the opportunity to contribute to the planning process through the initial questionnaire available at meetings, the Town Hall, and other service organizations throughout

the community. The website offered posted updates to the comprehensive plan throughout the duration of the planning process.

Resident's concerns included a broad range of issues facing many first ring suburban towns. The issues include:

- Economic Development
- Community Character
- Updating of the Town's Zoning
- Revitalization of Older Neighborhoods
- Taxes
- Historic / Cultural Protection
- Creation of a Town Center
- Protection of Environmental Features
- Transportation / Traffic
- Housing
- Parks, Recreation and Trails
- Location of "Big Box" Retail

Summaries / meeting minutes if these meetings are included in Appendix A. These can be utilized in the future to target issues for discussion and possible action.

### **C. Goals & Objectives**

The following goals and corresponding objectives were developed from the various inputs completed during the comprehensive planning process. Inputs to the goals include the Town's initial issues and ideas; public input and the Steering Committee's evaluation of the Existing Conditions. Where applicable, the goals reflect Erie County's "Guiding Principles for Countywide Land Use Planning".

The goals are categorized into the same functional topics that have been followed in the previous steps for the West Seneca planning process. The key goals will be further evaluated in Section III - Findings and Conclusions, to identify the opportunities and constraints for each subject. The goals will eventually form the foundation for the overall vision for West Seneca, ultimately becoming the general basis for long-term land use decisions.

#### **GOAL: Establish the Area Surrounding Town Hall into a Stronger "Town Center"**

- Improve the aesthetics of the Union Road corridor with improvements such as more landscaping, façade improvements and other public improvements.
- Support small owner operated and local businesses along Union Road and Seneca Street.
- Continue to recognize Southgate Plaza's role as one "anchor" to the "Town Center" and physically link it with the business districts along Seneca Road and Union Road.
- Make improvements to create better access for pedestrians and make it easier and more pleasant to walk between stores, Town facilities and other services.
- Enhance linkages between residential neighborhoods and Central Business District (CBD) area within the "Town Center" area.
- Consider Traffic Calming and other methods to improve the Union Road corridor in the "Town Center" area.

**GOAL: Protect Important Environmental Features and Open Space**

- Protect the major creeks and their associated floodplains for their environmental value, for public health and safety reasons as well as for protections against property damage.
- Improve access to stream corridors and waterways.
- Identify and protect important wooded areas and other areas of "greenspace" that contribute to the character of the Town.
- Recognize the value and importance of street trees, landscaping and public spaces in defining community character.
- Support and encourage the continuation of agricultural businesses in order to allow their contribution to the community character.

**GOAL: Protect Important Historic, Cultural and Recreational Features**

- Define and protect the Gardenville Heritage Area (bounded by North Avenue, Weigand Street, Seneca Creek Road/South Avenue and West Avenue).
- Strengthen the historic/cultural district in the Gardenville area by encouraging additional cultural or tourism-related uses, and by creating stronger linkages across Union Road.
- Preserve significant historic structures.
- Support and further develop important cultural assets, such as the Library, the Charles E. Burchfield Arts and Nature Center and the Historical Society Museum.
- Strengthen and support the park system.
- Every residential neighborhood should have reasonable access to park, recreation or open spaces.

**GOAL: Revitalize and Reuse Older, Residential Neighborhoods and Business Districts**

- Encourage the redevelopment of areas that in general have suffered disinvestment.
- Encourage adaptive reuse of underutilized or vacant commercial properties.
- Identify areas where commercial development is appropriate, and support development or redevelopment of these areas.
- Discourage commercial growth in areas outside the identified commercial areas.
- Improve the aesthetics and desirability of traditional shopping and business districts.
- Ensure the appropriateness of new development proposals in terms of their impacts on neighboring uses.
- Encourage the redevelopment of the Seneca Mall site as a mixed- commercial use area.
- Maximize the revitalization activities in those neighborhoods eligible for Community Development Block Grant funding.

**GOAL: Establish a transportation system that is more supportive of non-automotive traveling, including pedestrians, bicyclists and transit.**

- Support better accommodations for pedestrians, such as sidewalks, crosswalks, benches, shade trees, walking paths and amenities.
- Provide bikeways between major destinations, and connecting major residential areas.
- Continue to provide walking paths in public parks and open spaces.
- Support the expansion of transit opportunities in Town, and oppose reductions in service levels.
- Improve traffic safety through speeding enforcement and improvements at problem intersections.



- Investigate the feasibility and desirability of traffic calming measures in certain key areas (e.g. Union and Clinton).

**GOAL: Recognize High Quality of Life Issues and Highlight the "Spirit" of West Seneca**

- Support and strengthen the identity of the original settlements, such as Ebenezer and Gardenville, and encourage (re)development in these already established areas.
- Support community linkages; improved communications with residents, coordination of community events, and strengthening of important institutions in Town (library, schools, etc.) that can foster community interaction.
- Strengthen the "image" of the Town through higher standards of maintenance and aesthetic improvements at strategic areas, particularly at highly visible areas within Town.
- Establish more attractive, appealing "Gateways" into the community at major routes into West Seneca.
- Support related issues to improve the appearance and appeal of the Town, through means such as stricter tree preservation regulations, improved sign ordinances, and better enforcement of existing regulations.
- Integrate people and quality of life issues more consciously into decision-making, focusing more on people than on the built environment.
- Encourage Identity Building efforts as part of developing a strong community character.
- Encourage and promote Town sponsored festivals, events and functions.

**GOAL: Improve the Town's Ability to Manage and Guide Growth**

- Develop improved zoning techniques in order to establish enhanced design controls within the "Town Center" and selected key areas.
- Establish a site plan review procedure and criteria for commercial development and redevelopment.
- Identify innovative zoning methods to encourage re-investment.
- Revise and update zoning to reflect current trends and needs.
- Identify the appropriate areas to encourage mixed-use development.
- Establish a long-term strategy for the redevelopment of the West Seneca Development Center and plan accordingly for potential changes in surrounding neighborhoods.

**GOAL: Encourage Economic Development Opportunities**

- Identify the appropriate areas for new commercial development and encourage development to locate in those areas.
- Support and encourage the build-out of existing industrial parks.
- Encourage the adaptive reuse of existing structures and vacant facilities for new and expanding retail, commercial and manufacturing establishments.
- Ensure that new commercial or retail development is compatible with existing adjacent uses.
- Encourage a diversity of retail and commercial uses within the identified business districts.
- Encourage increased tourism development and expanded tourism services, particularly.
- Enhance the design and aesthetics of commercial districts within the Town.
- Support agriculture and agricultural businesses, and recognize their importance to the community and the local economy.

**GOAL:      Ensure Public Facilities Adequately Meet Future Community Needs**

- Although services and response are met adequately, improve the Town Hall/Police Department in regard to space and operational facilities in order to meet the demands for operation.
- Emphasize how the Town Hall is just one building within a complex of several facilities that together serve as a Town Government Center.
- Evaluate the underutilized space available in the Town Hall.
- Assess the upgrade, expansion, possibilities of the Town Library.
- Assess the future needs of Senior Citizens within the Town and improve the services, facilities (Senior Center), and organizations involved.
- Evaluate Town services/facilities along with church organization services/facilities and the School's Continuing Education Program to review overall services/facilities available to residents.
- Investigate locating a park in the northeast corner of Town.

### **SECTION III – FINDINGS AND CONCLUSIONS**

### **III. FINDINGS AND CONCLUSIONS**

This section presents the findings and conclusions that have been drawn from the evaluation of the existing conditions, input from the Steering Committee, and the consultants planning expertise. These findings and conclusions will then be applied to the goals and objectives to support the development of a listing of Opportunities and Constraints. The topic areas of discussion follow the existing conditions "headings".

#### **A. Demographic Projections**

1. Population declines (although at a slower pace) will continue to create challenges for redevelopment issues. These declines though will probably be due to decrease in household size and will not affect number of households.
2. The aging population will have an impact on demands and needs for housing, transportation, social services and public services. The Town will need to continue to offer a diverse (and probably broader) range of services for seniors, and demand for these services is expected to increase.
3. West Seneca is a family-oriented community, and continues to have a significant proportion of the population aged under 18. The demand for youth services is expected to remain stable.
4. There is a trend toward smaller households. Already 27% of households are single-person households, and this figure is expected to increase further as the population continues to age. This will affect housing needs in the Town.
5. An average of 117 new units per year were added to the housing stock between 1990 and 2000. Vacancy rates do not seem to be a problem. New home construction will slow as areas for new housing are used up.

#### **B. Environmental**

1. The creeks and their associated floodplains are one of the most dominant environmental features in Town. They are important as open space corridors, greenspace and for environmental protection purposes, and there is significant public support for their protection.
2. Floodplains are largely associated with the major creeks. Development in these areas needs to be carefully controlled for public health and safety reasons, including protection against property damage, as well as environmental concerns.
3. There are limited areas of identified wetlands in Town, but there are large areas of hydric and potentially hydric soils, which suggests that there may be other unmapped areas of wetlands.
4. The northwest portion of Town contains active agricultural lands, which contribute to community character. These farmlands consist of larger parcels, which are in danger of transitioning to other uses if the agricultural uses are no longer viable.
5. The southwest corner of Town along Berg Road and U.S. Route 219 has developable lands and is expected to be under development pressure. Any new development should consider floodplain constraints.

#### **C. Transportation**

1. Route 400 Corridor is dominated by industrial zoning and land use to its north.

2. Three access points to Route 400 and to the NYS Thruway provide excellent means of automobile travel. At this time there are no significant operational deficiencies known for this segment of Route 400.
3. The NYS Thruway represents a second highway that transects the Town. It carries high traffic volume and it has a significant impact on the landscape, because the Thruway only has two interchanges (Exits 54 and 55) providing access directly into Town. Traffic on the NYS Thruway is projected to increase significantly over the next ten years.
4. US Route 219 crosses a small area in West Seneca, but it does not have an interchange within the town.
5. Because of the Town's central location and location of three major expressways and highways, the Town receives a great deal of pass-through travel (commuters).
6. The focal points of the north/south travel are Union Road, Transit Road, and Orchard Park Road/Potters Road. Transit Road has less of an effect since it is a town border. Union Road receives traffic from the majority of the other major roads; Clinton, Mineral Springs/Indian Church, Seneca Street, Main Street, Ridge Road and Orchard Park Road. Orchard Park Road and Potters Road are major north/south travel routes between Orchard Park and South Buffalo.
7. Based upon that information available from the Town and existing studies, traffic volumes on local and county roads in West Seneca do not present significant capacity deficiencies under current conditions (problem areas do exist).
8. State and County highways in West Seneca adequately meet daily traffic demands.
9. Recent Transportation Improvement Projects along Transit Road (Rt. 78), and the Aurora Expressway (Rt. 400) Interchange at the NYS Thruway (I-90), have alleviated traffic congestion along those routes.
10. A NYS Department of Transportation Traffic Impact Study conducted for a Supplemental Generic Environmental Impact Statement on the North America Center Industrial Park, (2001) indicated that under some "built-out" conditions, the Industrial Park could result in Level of Service deficiencies and require highway (capacity) improvements.
11. The railroad corridors can continue to provide transportation of commercial goods to the industrial areas.
12. Localized traffic problems have been identified by Town residents and include: Orchard Park, Union Road and Harlem Road.

#### **D. Cultural**

1. Educational facilities
  - The Town is well served by the West Seneca Central School District and additional private schools. At this time there are no known deficiencies in capacity, nor will projections exceed the capacity for the schools to accommodate its student enrollment.
  - There are four (4) major school facilities located in the "Downtown" area of West Seneca. We believe they represent an important feature of this "Town Center".
2. Parks and recreation
  - West Seneca has 15 Town-owned parks located throughout Town, and a variety of recreational offerings (sports facilities, indoor ice rink, etc.)
  - In general, parks and recreational services are meeting the public's needs.
  - High quality parks and recreational programming is a quality of life factor supported by the public.
  - Currently there is not a park located in the Northeast sector of Town. The Parks and Recreation Plan recommends development of a park in the Northeast sector.
  - There are presently no trails linking parks or linking parks to major residential sections.

- A golf facility is being constructed just south of Southwestern Boulevard in Orchard Park.
  - There are discussions of a major recreational facility to be built in the Clinton Street area, west of Gardenville.
  - Cazenovia Park, although not in the Town, is a major feature in the western portion of the Town.
3. Historic, cultural and architectural resources.
- The public values the Town's historical and cultural resources.
  - The Gardenville area around the Charles E. Burchfield Center has a nucleus of historical buildings, many of which are privately owned.
  - The hamlet of Ebenezer also has many older homes, particularly along Main Street.
  - There are nine specific sites that the Historical Society has identified as historically or culturally important to the Town (see the Cultural Features Map No. 8).
4. Affordable and senior housing projects
- The Town has three affordable rental housing projects, all aimed at seniors, with a total of 211 units.
  - The Town includes a range of housing prices and styles, although most for-sale units are traditional single-family detached houses.
  - There is likely to be demand for additional affordable and non-traditional housing for seniors or smaller families.
  - Residents are concerned that housing maintenance and property upkeep is kept to high standards. (e.g. stricter controls over junk vehicles or parking on lawns)
5. Communities, Neighborhoods, Hamlet locations
- There is support for strengthening the identity of the two primary hamlets in Town, Ebenezer and Gardenville.
  - There are also neighborhood centers that are not considered hamlets, but which play an important role in community identity.
  - There is support for better defining and creating a village/hamlet area as the "Town Center" along Union Road between the creeks.
  - Ebenezer is at the center of the "Town Center".
  - The Southeast section of Town is expected to remain residential.
  - Although the hamlet areas of Ebenezer and Gardenville are not identified by the Erie County's Guiding Principles for Countywide Land Use Planning as rural service centers (either of county-wide or local significance), they represent identifiable places important in West Seneca.
  - The area west of the NYS Thruway is isolated from the remainder of the Town and tends to take on the City of Buffalo's characteristics. These neighborhoods are older and in various levels of need for revitalization. These areas, known as the "city-line neighborhood" have been a community development block grant target area for many years. Monies invested in these areas included street and sidewalk repair and cleanup of a superfund site and construction of a park.
  - The area generally south of Cazenovia Creek has new subdivisions and takes on the characteristics of a suburban town.
  - Areas east, southeast, and northeast of the "Town Center" are a mixture of older and newer housing and include some larger areas of open space. These areas take on the characteristics of a small rural community.

**E. Economic Issues**

1. The Town of West Seneca, during post water development, was primarily a bedroom community with some commercial development. The Town of West Seneca, at this time, is not just a "bedroom suburb." This transformation took time and effort and the Town now has a diverse economic base, with a range of employment opportunities in services, retail, manufacturing, distribution and other sectors.
2. The top 15 employers in the Town represent a total of approximately 5,340 jobs (full-time equivalent). Numerous smaller businesses also provide employment opportunities.
3. Most industrial parcels in West Seneca are located along the rail corridor that parallels Route 400.
4. The North America Center (NAC) industrial park has approximately 270 acres available for industrial, manufacturing, warehousing, office or distribution uses. This park is fully serviced with all utilities, rail, and convenient access to the interstate system.
5. The NAC has a competitive advantage over other industrial locations in Western New York, in that a number of uses are "pre-permitted." For these targeted industries, initial SEQR and other permitting requirements have been completed, and the industries can start-up with a minimum of delay.
6. The retail heart of West Seneca is Southgate Plaza. The plaza is generally healthy, with a mix of retail and office uses. The closing of the Ames Department Store facility left a significant vacancy in the plaza, but several businesses have expanded, and new businesses have been successful. There are over 100 office and retail tenants. The plaza's web site highlights 61 retail shops. The plaza offers a diverse range of shopping alternatives, including a major department store (the Bon Ton), several smaller apparel retailers, a number of specialty and gift shops, personal services establishments, restaurants and a successful independent grocery.
7. Additional retail shops and services are located along Union Road, Ridge Road, Seneca Street, and Transit Road. To a lesser extent, there are scattered commercial establishments along other major roadways in the Town.
8. The character of retail centers in the Town of West Seneca varies. In the area near the former Seneca Mall along Ridge Road, the retail uses tend to be larger, automobile-oriented retailers, such as Home Depot and K-Mart. Along Seneca Street, most retail uses are smaller in scale, and are interspersed with residential development. Some agricultural-related retail uses, such as nurseries, are located along Clinton Street in the northwestern part of Town. As noted above, the Union Road corridor functions as a "Main Street" for the Town.

**F. Land Use and Zoning**

1. Most commercial zoning districts follow the frontage along major roads, and highways.
2. The schedule of permitted and accessory uses is highly hierarchical in nature, including allowing Single Family Residential (SFR) in the commercial districts. While mixed uses are a benefit to creating a high-density village center atmosphere, in the areas of larger scale and automobile oriented commercial development, SFR residential will be problematic.
3. There are nine separate residential zoning districts, several of which vary only slightly.
4. The "A" suffix following the residential zones, signifies that two-family dwellings are allowed as permitted uses, as well as fire stations and home offices (medical) and home occupations, (R-90 A, R-75 A and R-65 A Residence Districts). This is the only differentiating factor from the corresponding R-90, R-75 and R-65 Districts. These districts tend to be located along the major roadways.
5. The Zoning Map has the appearance that little vacant land is set aside for new commercial establishments, but rather rezoning from residential districts has set the

- commercial development pattern. The use of the "(S)" designation gives the appearance that re-zonings were done on a project-by project basis without overall consideration of the greater land use patterns.
6. A broader use of Special Use Permits can be employed to allow a wider variety of commercial uses in pre-determined designated areas. Each district should have a list of uses allowed by Special Use Permit.
  7. Section 120-23 of the Zoning Code authorizes the Town Board to grant Special Use Permits. The authority to grant Special Use Permit is granted to the Town by Section 274-b of the New York State Town Law. Although the Town Board retains this power, it is also possible for the Town to give the responsibility to approve Special Use Permits to the Planning Board.
  8. Site plans are only required when a Special Use Permit is required from the Planning Board. Site plans can be required for certain permitted uses as a way to apply design standards or other design related criteria. As with Special Use permits, Site Plan Review authority can be given to the Planning Board.
  9. Strict screening and planting requirements in Section 120-26 do not allow for very innovative landscaping designs within "automotive use areas" (parking lots). The existing standards encourage long, thin planting strips that are beneficial for snow storage along property lines without encouraging groupings or assembly of larger contiguous non-linear green space.
  10. There are a limited number of vacant properties in the C-1 or C-2 commercial districts.
  11. The Industrial Park Overlay District establishes a restricted use permit (issued by the Town Board) and a Park Review Committee. It replaces the use of a special use permit in this industrial park.
  12. The Industrial Park Overlay Review District site plan review standards in Section 120-28.8.B(1)(a) refer to the Town Urban Renewal Plan. This plan should be reviewed and updated, if necessary, to meet the recommendations of this Master Plan and Zoning revision.
  13. The West Seneca Development Center is considered a site where future re-development may occur. The Town has already recognized the potential for significant change on this site, depending upon actions of the NYS Developmental Disabilities Services (DDSO). This site potentially could be the subject of an overlay district or a new PUD. In general the uses for this site could be a mixture of neighborhood commercial, office space (utilize existing structures), residential (some multi-family), and open space.
  14. Large scale commercial development is subject to the same design standards as small scale commercial (re)development. This should be changed and an additional district or overlay district could be established.
  15. The Seneca and Union "Town Center" areas could be guided by a unique commercial district regulation or a Traditional Neighborhood Design overlay district to help protect the existing physical character of the area, but allow new uses. The TND overlay could encourage higher residential densities and a wider variety of mixed uses along the commercial streets.
  16. The Gardenville area is a geographic area having another distinctive set of objectives that could be addressed by a heritage overlay district that protects, strengthens and encourages expansion of historic and cultural based uses.
  17. The Seneca Mall area provides adequate land for commercial redevelopment but is zoned industrial.
  18. Where applicable, the zoning should refer to the new building codes and not reference the NYS Uniform Fire Prevention and Building Code.
  19. The "application" requirements listed in Appendix A of the Industrial Park Overlay Review District represents a thorough listing of elements that should be required in site plan applications as could be adapted to be applicable to all industrial/commercial development.



20. In general the Town Board has retained jurisdiction over many minor items such as varying maximum building heights as (Section 120-34), or approving the area of each dwelling unit in permitted 2 family dwellings (Section 120-37).
21. Section 120-40 of the Zoning Code contains the Town Sign Regulations. The Building Inspector, Town Board, Planning Board and ZBA (variances) each have varying responsibility for approving sign permits. Section 120-40.
22. While the zoning regulation allows junkyards as permitted uses (120-22 A.), the Junkyard ordinance describes them as requiring a public hearing and annual license from the Town Board – essentially this is the same as a Special Permit with site plan review. The Zoning should match the Junkyard ordinance.
23. The zoning map is not available in electronic format. Updating, boundary descriptions and quantification of district areas would be simpler if the zoning map were in a GIS format. Map II represents a generalized view of the zoning of the Town. The existing zoning map is much more complicated.
24. Inconsistencies or administrative difficulties imbedded in a zoning ordinance often can be identified by the frequency those issues must be addressed by the Zoning Board of Appeals. The following are the most frequent variable requests:
  - Variances for corner lots due to the application of minimum front yard setbacks on two sides.
  - The regulations for fencing height and location should be reviewed and addressed.
  - Signs exceeding the maximum height requirements. It is generally believed that over the years many unwarranted variances were granted.
  - Limitations or prohibition of billboards
  - Parking and storage of recreational vehicles and boats.
  - Alternatives (penalties/fees) for area variance applications for structures (knowingly) constructed in violation of height and bulk requirements prior to application for variance.
  - There are no penalties for ZBA applicants that “knowingly” build in violation of the code.
25. The Planning Board has the authority to act on subdivision plats and makes recommendations on special use permits. The responsibility most commonly granted to a municipal planning board, which is not granted to the West Seneca Planning Board, is the authority to review and approve site plans. Where site plans are required as part of Special Use Permit applications, their approval remains at the Town Board level.
26. The Zoning Board of Appeals lacks requirements mandating a "real" site plan as part of submittals. Even though there may be compliance for the survey requirement, at times it is not sufficient. Code needs enhanced submittal requirements.
27. It is understood that although Chapter 67 – Environmental Quality Review authorizes a Technical Advisory Committee to make SEQR determinations (should be recommendations) on development projects, one does not exist. Article IIA – Industrial Park Overlay District authorizes the Park Review Committee to Act in of the Technical Advisory Committee in reviewing restricted use permits.
28. A conflict within the zoning ordinance allows Adult uses only within the M-2 district under §120-40.22 (Restrictions affecting adult uses) and within both M-1 and M-2 districts by special permit under §120-21A (Permitted uses in M-1 Districts).

## G. Infrastructure

1. The water system is adequate to handle current and anticipated future demands. Where in-fill or redevelopment requires expansion or extension of services, the developer will have to work in concert with the Town and Erie County Water Authority.
2. The existing sanitary sewer system has no major deficiencies. Known SPDES permitting concerns within Sewer District #13 are being addressed by the Town. A long-standing

- Town moratorium on new "out of district" service agreements remains in place in order to help preserve future collection system capacity for growth demands in town.
3. The town will continue with sanitary sewer rehabilitation in order to mitigate infiltration into the system.
  4. West Seneca is designated as one of the "MS4" (municipal separate sewer system) communities that must meet the quantity and quality requirements of the latest SPDES general Permit for Storm Water Discharges. Full implementation must occur by 2008
  5. The local road network in West Seneca is well maintained and adequately serves the residents. As town roads are reconstructed, drainage and sidewalk needs are also being addressed.

## H. Public Facilities

1. While the Police Department gains high marks for its service, general consensus is that the facilities are outdated and undersized.
2. Specific aspects of the library facility need upgrading such as; computer access, computer based research, internet services.
3. The Town contains a high level of youth services and organizations.
4. Although outside the Town Hall/Centennial Park complex, the Senior Center is a well-utilized facility with high demand from its patrons. The facility offers one of the largest public meeting facilities.

## I. Relationship to Surrounding Communities and County Policies

### 1. Guiding Principles for Countywide Land Use Planning

The Erie County Department of Environment and Planning (ECDEP) had identified key natural and man-made assets that provide countywide benefit. The ECDEP prepared the Guiding Principles for Countywide Land Use Planning in 1999 in order to present a set of "planning principles which should be preserved, enhanced, and incorporated into local planning documents and subsequent implementing action plans".

The West Seneca Comprehensive Plan has taken into consideration these planning principles in formulating its recommendations and implementations. Some examples of how the Guiding Principles apply to the development of the West Seneca Comprehensive Plan include:

- The plan identifies appropriate lands for manufacturing and commercial development.
- A farmland protection plan is a minor guiding principle for West Seneca, since much of the agriculture is gone.
- While none of the rural hamlets or service centers in the Guiding Principles are located in West Seneca, many of the recommended local actions apply to the effort to create a stronger identity for the "Town Center".
- The plan identifies appropriate lands for development related to areas that are supported by the transportation system capacity principles.
- West Seneca contains the Buffalo Creek, Smoke's Creek, and Cazenovia Creek, identified as having countywide significance. West Seneca has taken part in a restoration study for Buffalo Creek as well as recently acquiring the Lehde property, located in the Cazenovia Creek floodplain. The plan has identified areas within which development should not occur due to floodplain protection and erosion prevention.

- West Seneca contains no countywide significant park space, steep slopes, or scenic vistas. The West Seneca Comprehensive Plan identifies important open space and creek corridors within the Town for acquisition, preservation, or recreational use.

## 2. City of Buffalo

The City of Buffalo borders the northwestern edge of town. While the City of Buffalo has experienced economic decline in recent years, the South Buffalo neighborhoods bordering West Seneca have retained a level of economic vitality. Cazenovia Park, Mercy Hospital, Mount Mercy Academy, and Trocaire College create a strong backbone for the South Buffalo neighborhoods. These regionally significant cultural institutions are all located within a five-minute drive from West Seneca.

The neighborhoods surrounding the city-line have concentrated upon aesthetic improvements and quality of life, while maintaining small neighborhood commercial along the main roadways. "Fixing the Basics" and re-establishing the Olmsted–Ellicott interconnected systems are some of the large-scale goals highlighted in Queen City in the 21<sup>st</sup> Century, Buffalo Comprehensive Plan (2002). Specific goals for the smaller neighborhood of South Buffalo are not mentioned in the plan.

## 3. Town of Orchard Park

The Town of Orchard Park borders the Town of West Seneca along the southern edge of the town. Recent development in Orchard Park has resulted in growth in the vicinity of this part of West Seneca. Southwestern Boulevard and Michael Road help to divide the two towns, while Orchard Park Road and Union Road connect the Town and Village of Orchard Park with the South Buffalo region and more northern suburbs. The Village of Orchard Park and the Town of Orchard Park's retail development at Southwestern and Route 240 act as commercial destinations to residents in the bordering neighborhoods, competing with the West Seneca "Town Center" area.

Southwestern Boulevard (Rt. 20A) is a major transportation corridor in the region. Either side of Southwestern is developed with a mixture of residential and auto-related commercial properties. The Orchard Park Land Use Study (Wendel Duchscherer, 2002) recommends the use of Southwestern as a barrier between the two towns, focusing on transportation improvements, aesthetic aspects, and access management overlays. The Land Use Study also recommends the preservation and recreational use of green space along Smoke Creek, which continues into the Town of West Seneca. The Orchard Park Land Use Study identifies the future Western New York Center for Golf and Recreation as a way to preserve the rural residential qualities present along the Southwestern Boulevard–Transit Road border.

## 4. Town of Elma

The Town of Elma borders the Town of West Seneca along Transit Road (Rt. 78). Transit Road acts as the major commercial corridor for the more rural Elma. Development pressures from West Seneca into Elma have been lessened by limited sanitary sewer service within the Town. While development in West Seneca has taken place over the previous decades, the Town of Elma wishes to remain rural agrarian in nature.

The Regional Comprehensive Plan (Wendel Duchscherer, 2002) identifies Transit Road as one of few rural commercial centers for Elma. Development is to be guided by aesthetics, landscaping, and access management principles. Rural Development

Guidelines are recommended for the Elma side of Transit Road to maintain a different development flavor from West Seneca.

5. Town of Cheektowaga

The Town of Cheektowaga borders West Seneca to the north. The adjoining sectors of Cheektowaga and West Seneca are similar in land use composition. Both are first ring suburbs, with majority of the housing development occurring in the decades following WWII. Some of the newer residential development in Cheektowaga is located along the border of West Seneca. Cheektowaga's industrial and manufacturing land use competes with the North America Center in West Seneca. Residents in the northern portion of West Seneca utilize retail-shopping facilities in Cheektowaga, mainly in the Transit/French and Union/French areas. Cheektowaga is currently investigating preparing a comprehensive plan update. The Town is presently working on an open space/recreation plan.

6. City of Lackawanna

The City of Lackawanna borders West Seneca along the western edge just south of Dorrance Avenue. Lackawanna has just completed the restoration of the Olmstead Parkway system and traffic circles, tying into it Cazenovia Park and Dorrance Avenue leading into West Seneca. The surrounding neighborhoods include older residential and small neighborhood commercial along the main routes. The City of Lackawanna Comprehensive Plan recommends continuing neighborhood commercial along Abbot Road, South Park Avenue, and Ridge Road. Overall the city would like to retain an urban character and density which currently is present in the bordering West Seneca neighborhoods.

Smoke Creek leads into Lackawanna where it empties into Lake Erie. Lackawanna has proposed a Recreational Trail Overlay District and a multi-use trail for the creek. The city plan also mentions the coordination of municipalities on regional planning decisions, using the example of the city's interest in redevelopment of the Seneca Mall area and how it would affect them.

## **SECTION IV – OPPORTUNITIES / CONSTRAINTS / IDEAS**

## IV SWOT ANALYSIS / IDEA GENERATION

The following section of the plan utilizes the established goals of the community and the existing conditions/conclusions to derive the strengths and opportunities and the threats and weaknesses of the Town (SWOT analysis). Based on this analysis, ideas for overcoming weaknesses and threats and taking advantage of the strengths and opportunities were established. These ideas were generated through the comprehensive plan process including the public input. These ideas are not the final recommendations of the plan, but will act as a "toolbox" of information to be utilized by the Town. Some ideas are developed further in the recommendation and implementation section, and some are ideas that are not in these sections, but may or may not be further developed by the Town in the future.

### A. Establish the area in the vicinity Town Hall as a strong "Town Center"

#### Opportunities and Strengths:

1. West Seneca has a core area that is well defined geographically as the "Town Center". This area is bounded to the north by the Route 400 expressway, to the south by Cazenovia Creek and anchored east and west by the schools. This recognizable geographic area is beneficial in helping to define the center of the community.
2. The historic hamlet of Ebenezer is the central area of the "Town Center".
3. Key Town facilities (including the Town Municipal Complex) are currently located within the "Town Center" area, helping to make it a destination.
4. The Southgate Plaza has a high occupancy rate that is stable and is a solid contributor to the vitality of the area. The businesses along Union and the Plaza provide the retail commercial activities of a central business district to this Town Center.
5. High traffic volumes on Union Road bring needed commercial traffic.
6. Higher residential densities help provide a critical mass of people to add to the mix of uses that will make the 'Town Center' a vibrant neighborhood.
7. The Town Center area contains four (4) schools and the senior center.

#### Threats and Weaknesses

1. High traffic volumes will impede efforts to make Union Road and Seneca Street more "pedestrian friendly".
2. Distances between key nodes of activity, presence of some roads without sidewalks and a general automotive orientation contribute to the lack of "walkability".
3. Schools are far from other activity nodes and core destinations and are not easily accessible by foot from these other activity centers.
4. Due to major highways and creeks, some areas of Town are relatively isolated from the "Town Center".
5. Some areas within the "Town Center" would benefit from modernization or refurbishment.
6. There is a lack of a visible identity. Non-residents can pass through without gaining a sense that there is a center to West Seneca.
7. Existing businesses are spread out and do not provide a dense center resulting in a lack of commercial critical mass. There are several distinct commercial nodes.
8. Constraints along the Union Road Corridor include:
  - Some areas have relatively deep setbacks, and the lots are shallow with residential behind them.
  - High traffic volume and speed.
  - Hard to separate pedestrians from traffic.

- Large number of curb cuts and storefront parking lots weakens access to smaller commercial properties by pedestrians.

### Ideas

1. A streetscape plan is needed for Union Road. (Phase I plan addresses Norwood Drive to Southgate Plaza. Phases II and III should complete streetscape to NYS Route 400 and Cazenovia Creek.)
2. Traffic calming/access management may be necessary in this area.
3. The Town Center is determined by the Route 400 on the north, the schools and senior center to the east, Cazenovia Creek to the south, and the schools and railroad right-of-way to the west. This area should be shown on maps and be the focus of creating what could be called "The Village of West Seneca" (not a separate municipal entity).
4. Make the area more walkable and pedestrian friendly.
5. Identify opportunities for shared parking or public parking.
6. The Union Road, Municipal complex, Southgate Plaza area will act as the downtown/central business district of the Town Center.
7. The Town Service Center shall remain in this area and services should be improved and expanded. Investment on these public facilities will create a focal point on the "downtown."
8. Aesthetic improvements are needed in the downtown area; landscaping, façade improvements, gateway features, improved street lighting, a clock tower, etc.
9. The schools are integral to the area and need to be tied into the Town Center area more effectively.
10. Revitalization/rejuvenation efforts should be focused here.
11. Conduct a comprehensive sidewalk/pedestrian and bike path plan in order to identify ways to link the schools into CBD. Look at ways to connect area to the entire Town for bicyclists.
12. Gateway features, signage and other improvements need to be focused on the Central Business District, and improvements made to the Municipal Complex.

## **B. Protect Important Environmental Features and Open Space**

### Opportunities and Strengths

1. Several major stream corridors identified as having countywide significance run through West Seneca; Buffalo Creek, Cazenovia Creek and Smoke Creek. These represent major environmental features and large greenspace/open space corridors.
2. Open Space along stream corridors provides flood control benefits.
3. The Buffalo and Cayuga Creeks Corridor Restoration Study, 1997, provides several recommendations regarding preservation and recreation opportunities for Buffalo and Cazenovia creeks.
4. The Gardenville area (especially to the west along Clinton) retains its general rural-agrarian character. This provides opportunities for development at low intensity. These low density developments can be designed in a manner that can protect open space and preserve community character.
5. Undeveloped areas in southwest sector of Town offer opportunities for open space if residential development is clustered.
6. Leydecker Woods at the State-owned West Seneca Developmental Center have been protected from previous development and offer the Town a future opportunity for preservation, open space protection and public access along the creek corridors. Given

- the space available at West Seneca Developmental Center, clustering can allow conservation of the more environmentally sensitive areas without compromising the viability of any redevelopment project.
7. There is possible availability of grant monies for open space preservation. Organizations such as WNY Land Conservancy and NYSDEC Environmental Protection Fund can assist with these endeavors.
  8. There is a strong interest in the community to preserve greenspace and some of the town's rural nature.
  9. Assets in the Town include the NYS DEC fishing area and activities relating to the Buffalo Greenway Plan.
  10. Some of the important greenspace and environmentally sensitive lands are zoned R-100A.

#### Threats and Weaknesses

1. West Seneca is primarily built-out. This highly developed state puts a premium on the remaining open spaces for both development pressures and for open space/recreation benefits.
2. Growth pressures exist coming from the directions of Orchard Park, Cheektowaga and City of Buffalo.
3. Open space features seem to be isolated and offer little opportunity for providing a coordinated greenspace area (although can provide unique opportunities in these isolated areas).
4. Residents along the stream corridor (privately held) may object to limitations on development or acquisition for public interest.
5. Flooding along the major creek corridors is a re-occurring problem.

#### Ideas

1. A stream corridor/floodplain overlay should be established to help protect these features.
2. Assistance and grant dollars should be targeted to study and possibly permanently protect some of these stream corridors and other important lands. Consideration for acquisition should be given to the lands east of the Charles E. Burchfield Nature and Art Center in the floodplain.
3. Cluster development and rural development guidelines should be utilized to preserve features in the Town.
4. The Leydecker Woods should be protected when the West Seneca Developmental Center is redeveloped.
5. Establish additional trails and paths to connect features inside and outside the Town (Buffalo Greenway Plan and NYSDEC Fishing area).
6. Have a strong tree management plan and strengthen ordinance.
7. Consider programs such as the purchase of conservation easements and the purchase of development rights (through Town bonding).
8. Involve the public in determining the preservation needs of the Town.
9. Add Conservation language section in the Town Zoning Code.
10. Continue to work cooperatively with State and federal agencies on flood control efforts.
11. Changes to the R-100A zoning district could improve protection to sensitive lands.
12. Expand upon the work done in the Comprehensive Plan by obtaining more environmental information about the Town, creating a Natural Resource Inventory.



### C. Protect Important Historic, Cultural and Recreation Features

#### Opportunities and Strengths

1. The acquisition of Island Park and development of the Charles E. Burchfield Nature and Art Center is a strong start at creating a heritage area in the Gardenville.
2. Availability and use of the Charles E. Burchfield Nature and Art Center and Centennial Park band shell for outdoor entertainment.
3. There is a local interest and willingness to identify and preserve remaining significant historic structures.
4. Historical and cultural areas are connected to residential areas by creek corridors.
5. A majority of the significant recreational spaces are located within important historical and cultural areas, strengthening the identity of these areas.
6. The vacant rail corridor along the NYS Thruway offers an opportunity to link West Seneca to the regional rails-to-trailway system.
7. The Town has a strong recreation program, with recreation facilities located throughout the Town.
8. The schools represent important cultural and recreation features to many neighborhoods in the Town.

#### Threats and Weaknesses

1. Development has resulted in the loss of locally significant historic structures.
2. Significant private development along creek corridors restricts pedestrian recreational use and limits movement into cultural and historical areas.
3. There is a lack of recreational/park space in the northeast section of the Town.
4. There is a lack of "publicity" concerning the historic and cultural features of the Town.
5. There is no organized program or approach to build upon the Town's cultural and historical features.
6. In order to create a larger tourism base, additional attractions and services are needed to create a critical mass of activity.

#### Ideas

1. A Gardenville Heritage area should be established. Its boundaries should be the historic boundaries of Gardenville: North Avenue, South Street, West Street, and Weigand Street.
2. This Heritage area should have improved aesthetics: streetscape, gateway features, signage and façade improvements.
3. This area should also be well connected (pedestrians, bicycles) and be supported by public transportation.
4. Encourage the preservation of historic structures, Native American cultural sites, and archaeologically sensitive areas.
5. The Charles E. Burchfield Nature and Art Center and Island Park area are a strong component of the Gardenville Heritage area and should be improved and capitalized on for tourism (market the area). Additional lands in this area could be obtained.
6. Other trail systems should be identified to connect to the proposed Seneca Creek Pathway. Additional trail systems along the creek corridors should be explored.
7. An overlay zoning district should be established in the Gardenville area to help guide development and especially redevelopment.
8. A recreation area is needed in the northeast sector of the Town.

9. Additional youth recreation service facilities are needed (street hockey facility, etc.).
10. Improvements are needed at Centennial Park.
11. Create a new zoning district on Clinton for agriculture/agriculture related businesses and recreation tourism uses.
12. Improve the link between Fireman's and Sunshine Park.

#### **D. Revitalize and Reuse Older Residential Neighborhoods and Business Districts**

##### Opportunities and Strengths

1. West Seneca has a number of stable, well-kept neighborhoods of attractive homes, and is a popular residential location for homebuyers.
2. West Seneca has a varied mix of housing types, including standard suburban style houses, smaller homes, and larger "move-up" units for owners; as well as duplexes, apartments and senior-oriented rental units for renters.
3. West Seneca has a good mix of locally owned and operated businesses, conveniently located to residential areas. Local-ownership provides greater likelihood that the businesses will remain local.
4. The major transportation corridors of the older City-Line Neighborhoods, the Seneca Mall area, and Transit Road offer key locations for regional auto related-commercial revitalization. These major roads high traffic counts, and the demographics of the Town are an attraction for business.
5. The West Seneca Development Corporation provides an avenue for the Town to focus on business redevelopment. Programs, business assistance and guidance can be provided by the WSDC.
6. Community Development Block Grant funds can focus on improvements in eligible areas in Town. Several areas of the Town are eligible to receive Community Development Block Grant funding for projects and programs.
  - north of Potters Road and west of the Thruway,
  - between Mineral Springs Road and Clinton Street
  - between Indian Church Road and the Conrail tracks,
  - the West Seneca Developmental Center, and
  - a small area east of Union between Main Street and Cazenovia Creek Center.
7. The future availability of the West Seneca Developmental Center property offers the town a unique development opportunity.
8. The continued aging of the Town's and nation's population.

##### Threats and Weaknesses

1. The economic decline of the Cities of Buffalo and Lackawanna has affected the City-Line neighborhoods in West Seneca and their redevelopment opportunities.
2. Some neighborhoods consist of older homes that are likely to need added investment and renovation to retain high housing quality.
3. Without careful guidance, redevelopment (commercial conversions) and in-fill development can change the established desired character of residential neighborhoods and commercial districts.
4. Many of the households in West Seneca are headed by older residents, particularly in the older neighborhoods. These areas have the potential to become transitional areas, as increasing numbers of homes change hands.
5. Maintaining housing values in older neighborhoods may be a challenge.

6. Many of the businesses, particularly in the older business districts, are small-scale businesses that may need assistance.
7. Opportunities for commercial development throughout the Town (by special permit), and in areas outside the Town, may hinder the redevelopment of these older business areas.
8. The high levels of traffic and difficulties with access can hurt businesses along some major routes.

#### Ideas

1. Restrict retail commercial development outside the established commercial areas. Consider changing the zoning that allows commercial development outside these areas. (Reduce the extent of the "A" District zoning categories)
2. Change the zoning of the Seneca Mall property from industrial to commercial and encourage the redevelopment of this site.
3. Target façade monies and 485(b) tax incentives in the Union Road and other existing commercial areas.
4. Walkability is an important issue in these older residential neighborhoods, and a sidewalk program should be a priority, as well as other efforts (crosswalks, etc.) to encourage pedestrian activity.
5. A Union Road business group could help to better target the needs in this area.
6. Continue to focus community development block grants in the older city-line neighborhoods. Keep track of the quality of the housing stock in these areas, and real estate trends. Perform an analysis of the infrastructure, housing stock and community needs in these low-income city line neighborhoods.
7. The allowance of duplex units by special use permit in "A" districts does not help with revitalization. This part of the code needs amending. Targeting of areas for housing for the growing numbers of single person households and the elderly is a greater need.
8. The Town should consider allowing in-law apartments under controlled circumstances. (special use permit required)
9. Amendment of the code and zoning map is necessary to better target commercial development. Changes to the special permit classes on the major highways should be considered.
10. Create a PUD (Planned Unit Development – a plan of mixed uses including open space) plan for the West Seneca Developmental Center property.
11. The Buffalo Airpark should be zoned for an appropriate future use (if the airport ever shuts down), or have it considered for a PUD designation.
12. Continue the Town's Affordable Housing Program in the Erie County Home Consortium.
13. Research and improve the Town's property maintenance law.

### **E. Establish a Transportation System that Maximizes its Service to the Town**

#### Opportunities and Strengths

1. The existing regional highway network provides excellent access between West Seneca and the surrounding communities.
2. The lack of operational deficiencies or current capacity limitations benefits new development.
3. Some sidewalks and wide road shoulders for walking are available throughout parts of the Town.
4. The existing railroad systems within the Town.

Threats and Weaknesses

1. The New York State Thruway (I-90) and Aurora Expressway (NY Route 400) have created significant barriers between sectors of the Town.
2. The only public transit is available via NFTA bus routes.
3. The lack of enough north/south routes within the Town strains the existing routes.
4. The constraint of Route 400, the creek corridors, and existing development paths would not allow for the establishment of a new north/south route.
5. Destinations outside the Town of West Seneca produce a lot of "pass through" traffic in the Town.
6. Many areas of the Town suffer from a lack of walkability.
7. The number of curb-cuts along many of the Town's major roads impedes both traffic flow and pedestrian movement.
8. Citizens complain of heavy traffic and the need for traffic calming on Orchard Park Road.
9. Future development in the Ridge Road area and in Orchard Park could cause additional problems on Orchard Park Road.

Ideas

1. The Harlem/Orchard Park Road, Union Road and Transit Road corridors are the important north/south routes in the Town. These must be maintained as important transportation corridors in the Town, but be revised to meet quality of life issues (speeds, traffic counts, noise, aesthetics).
2. The Town should be more walkable and many areas of the Town were identified as needing improvement in pedestrian and bicyclist accessibility.
3. Union Road through Gardenville and the Town Center should be improved aesthetically (streetscaping), and access management and traffic calming measures should be considered.
4. Since the travelling public's first view of West Seneca is at some major highway entrances to the Town, it is important to improve these entrance points. "Gateway features" should be considered at many of these locations.
5. Continued examination of the traffic issues on Orchard Park Road is necessary. Creative solutions may be necessary to accommodate traffic but maintain character.
6. Creation of an access management ordinance that will focus on the main highways in the Town is recommended. Efforts should start at targeting Union Road and Transit Road.
7. Improvements to the public transportation system in the Town are needed.

**F. Recognize High Quality of Life Issues and Highlight the "Spirit" of West Seneca**

Opportunities and Strengths

1. The original settlements in the Town are Ebenezer and Gardenville.
2. There is a variety of housing types and neighborhoods in the Town.
3. West Seneca is a diverse community that has rural areas, historic buildings, a strong industrial base, older and newer housing, excellent community services, and a centralized location within the region.
4. The community is largely served by a single school district, with a strong system of schools.
5. West Seneca benefits from have a number of older, established neighborhoods.
6. Churches and community organizations contribute to the Town's quality of life.

Threats and Weaknesses

1. There is no community center or recognizable "downtown" West Seneca.
2. Not all people recognize the older areas of Ebenezer and Gardenville (lack of clear identity).
3. The large population of the Town makes it harder to establish a sense of community.
4. The Town is physically split by Route 400 and the creek corridors.
5. There is a lack of public involvement in community decisions and actions.

Ideas

1. A community center (the "Village" of West Seneca) should be established in the Ebenezer section of the Town and branch out to the east and west to incorporate the schools. The northern boundary should be the "400" and the southern, Cazenovia Creek.
2. Improvements throughout the community will increase pride in the Town of West Seneca (including the gateways to the Town).
3. The Hamlet of Gardenville should be improved and established as a Heritage area (cultural center).
4. Provide additional community events to bring people into the Town Center and reestablish the spirit of the community.
5. The churches and schools also act as community neighborhood centers, and they should be supported, and incorporated into the plans. Coordinate issues of this plan with the school district.
6. Communications in the town should improve with additions to the web site and a community newsletter.
7. A public relations program is needed for the Town, to strengthen the image of the Town, and draw people to the community.
8. Neighborhood meetings could help to raise interest in the community and identify the needs of these neighborhoods.
9. Monies should be targeted in these neighborhoods to help maintain the conditions of structures, and target improvements in these areas.
10. Community linkages are needed to bring people closer together.

**G. Improve the Town's Ability to Manage and Guide Growth**

Opportunities and Strengths

1. The Town has a standard zoning code that can be easily updated.
2. The Town has an existing Planning Board.
3. West Seneca has clearly designated areas of major commercial and industrial development.
4. The zoning code already includes such newer devices as an overlay district, landscape standards, and special use permits.
5. Through this comprehensive plan effort, the Town has begun the process of managing and guiding growth, and a willingness to effectuate change.

### Threats and Weaknesses

1. The Town's zoning code is a fairly standard (Euclidean) code.
2. The Town's zoning code lacks site plan review regulations.
3. The Town is fairly built-out and change will be difficult to accomplish.
4. The Town's development pattern and barriers makes it difficult to establish neighborhoods and more neo-urbanist type results (mixed use-walkable areas).
5. The growth patterns in the surrounding Towns affect the Town of West Seneca.
6. The changes needed— zoning and other requirements— will necessitate the commitment of community dollars and resources.

### Ideas

1. Update the Town's zoning code:
  - add site plan review
  - create overlay zoning districts in some areas and along major roadways
  - improve special permit requirements and process
  - simplify parts of the code
  - ensure that the proper amount of commercial property is set aside
  - add industrial overlay requirements to other industrial areas of the Town
  - add intent sections to all zoning categories
  - create better and more creative residential zoning categories to allow neo-urbanist development patterns
2. Make investments in areas that are targeted for growth and redevelopment.
3. Consider improvements to the existing property maintenance law and tree ordinance.
4. Identify the appropriate scale and type of development for different areas of the Town (see vision map).
5. The Town should consider the acquisition of certain lands in the Town that need to be preserved.
6. Make processes easier in areas targeted for development/redevelopment.
7. Establish a Planning Department or contract with a planning consultant to help guide development and be proactive in planning for the future.
8. Create a PUD for the West Seneca Developmental Center property.
9. The Town should consider creating a new "Residential – Agricultural" zoning district that better reflects the areas presently zoned R-100A.
10. Town zoning regulations should better regulate patio homes within the community.

## **H. Encourage Economic Development Opportunities**

### Opportunities and Strengths

1. The West Seneca Development Corporation (WSCD) provides economic development services for the Town.
2. The Town has an existing, shovel-ready industrial park with available space.
3. Other industrial areas are located along the Route 400 corridor.
4. An existing regional commercial area in the Ridge Road area has space available for redevelopment.
5. Southgate Plaza is an existing large successful plaza tied to a retail commercial corridor.
6. The West Seneca Developmental Center property may become available for development in the future.

7. The Town has important rail corridors (see Map 6) that are vital for the existing industrial base in the Town.
8. The Charles E. Burchfield Nature and Art Center can act as a regional tourism hub.
9. The NYS Thruway, Route 400, Route 219, Union Road, and Transit Road provide easy access to the region.
10. The Town contains rural areas that could accommodate agrarian businesses and recreational opportunities. Differences should be noted concerning flood plains and existing characteristics of these properties.
11. The good demographics of the Town and the high traffic counts on the main roads are a positive feature for economic development purposes.
12. West Seneca is recognized as an important commercial and industrial center in the Country's guiding principles document and the Southtown's Cooperative Study (completed for West Seneca, Hamburg, Evans, Eden, Orchard Park and Boston.)

### Threats and Weaknesses

1. The overall economy of the region is weak.
2. The existing Industrial Park (NAC) may need a second entrance to be completely built out.
3. The former Seneca Mall is a large, highly visible vacant property. Its zoning as industrial is one factor that impedes its redevelopment, and has resulted in undesirable activities occurring on the site (e.g. storage of debris).
4. Potential vacancies and deterioration of some commercial storefronts on Union and other commercial areas could become a problem.
5. A failing agricultural business climate threatens the remaining farms in the Town.
6. The draw of other regional commercial areas in adjacent communities competes with local businesses.
7. The amount of traffic on Union Road and affects the appeal of the local business district, particularly for pedestrian traffic.

### Ideas

1. Continue to market the NAC Industrial Park (continue implementing mitigations in the EIS, including the secondary means of egress into the side).
2. Expand the industrial park overlay to other industrial areas of the Town (to offer protection and design guidelines).
3. Change the zoning of the Seneca Mall site to commercial, and establish the appropriate bounds of this regional commercial area (see vision map).
4. Provide investments and make improvements in the Union Road area identified as the CBD of the Town Center.
5. Provide incentives to businesses to make improvements in their properties (485(b), façade programs, etc.).
6. Help in making improvements in the Gardenville/Burchfield area of the Town, to promote a tourism hub in the community. Consider acquiring additional lands in the area around the Charles E. Burchfield Nature and Art Center.
7. Work with the NYSDOT and NYS Thruway Authority to ensure that the accesses into Town are maintained and improved to provide the highest service to the Town.
8. Allow agricultural related business and alternative business uses on farms (to allow them to remain competitive).
9. Clean up the zoning on Transit Road north of Route 400 to give clear direction to commercial development in this corridor.

10. Seneca Street (Union to Potter) should be focused on professional offices, small retail, etc. with a pedestrian orientation.
11. Discourage commercial growth outside the designated commercial areas.
12. Work the State of New York, residents, private developers and others to plan the potential future uses of the West Seneca development property. Consideration should be given to costs of demolition and site preparation, neighborhood characteristics, needs of the Town, environmental features, etc.
13. Protect the rail corridors from non-compatible growth, so that they can be maintained as business support systems.

## **I. Ensure Public Facilities To Adequately Meet Future Community Needs**

### Opportunities and Strengths

1. The Town Hall/Government Center provides a wide range of services to the residents of the Town.
2. The Town has a strong youth program and a senior center that provides services to the senior community.
3. A single school district covers most of the Town.

### Threats and Weaknesses

1. The increasing population and needs of the senior citizens present new challenges.
2. The changing needs for youth services in the Town requires monitoring.
3. Increasing needs of the community, and the costs of providing these services will continue to affect the Town.
4. Under new State regulations (stormwater SPDES), new development will require additional stormwater ponds to protect drainage systems in the Town.
5. The Town Hall, including the police facilities, are being stressed and will need improvements.

### Ideas

1. Continue the focus of the community services on the Town Hall/Centennial Park area. Provide improvements that are responsive to community needs.
2. In anticipation of continued increases in the senior citizen population, assess the need for expansion of senior services at the senior center.
3. Closely monitor the needs and requirements of the citizens through public outreach. At these times also provide information to the public on the costs of providing these services.
4. Coordinate community service planning with the school district, maximizing the utilization of school buildings in servicing the community's social and recreational needs. School buildings can act as neighborhood centers and are important components of the community.
5. The Town should establish regulations for the installation of stormwater ponds that address ownership, maintenance and cost issues.
6. Continue research into ways of lowering cost of priority services to Town residents. An example is potential sewer district consolidations and Erie County take over of sewer systems.



## **SECTION V: RECOMMENDATIONS AND IMPLEMENTATION**

## **V. RECOMMENDATIONS AND IMPLEMENTATION**

### **A. Introduction**

The following section of the Plan takes the "Ideas" generated during the SWOT analysis and expands upon them, recommending specific actions and how to implement them. The first part of this section discusses the changes to the zoning ordinance that will set the framework for achieving the community's vision. These zoning recommendations are explained and the actual implementation is in the appendix to this plan as zoning revisions. Those not included in the appendix are more long term and will be developed when needed.

The next part of this section includes the other specific implementation projects of this plan: the creation of a Town Center and the creation of a Gardenville Heritage area. Again, an attachment to this plan includes the specifics about these actions.

The remaining part of this section of the plan is broken into two categories. These categories include the other recommendations of the plan and implementation advice on them. These categories are "Other Laws and Regulations" and "Projects and Activities".

### **B. Zoning Ordinance**

In order to achieve many of the Goals and Objectives of the Town, the basic tool of land use control, the zoning ordinance, must be amended. This tool by itself will not effectuate change, but combined with other actions of this plan, will begin to guide the future of the Town.

At the current time, the pattern of the zoning districts of the Town is fairly well established and with certain exceptions, need little attention. Because the Town is fairly well built-out and the land use pattern is well established, there would be little benefit in a wholesale re-drawing of the zoning districts. However, it is apparent that certain undeveloped or underutilized areas will, at sometime in the future, be subject to change or desirous of change. The existing established areas of development also need a framework to ensure that when change occurs, it will support the vision of the Town. It is in these areas that the existing zoning should be evaluated for its ability to guide or protect the future land use.

The code, itself, must also be modified to be easier to use, have more modern tools to achieve the desired results, and be flexible enough to accommodate the societal changes that occur at an ever-increasing pace.

#### **Zoning Code Amendments**

1. Article 1 – General Provisions:
  - a. Include conservation language to help in the protection of important environmental features, especially stream corridors. This language will strengthen the intent of the entire code to protect these features and provide some minimal basic protection requirements.

2. Article II – Use Regulations (see paragraphs 9. & 10. of this section for changes to zoning that impact the Town Center or Gardenville Heritage area).
  - a. An intent section should be added to the beginning of each zoning district in order to establish a purpose or objective for each district. This will facilitate determinations of the zoning enforcement officer, Zoning Board of Appeals and Planning Board, as well as provide the general public a better understanding of the intended purposes and differences between districts. These sections will be similar in concept to the objectives and purpose section for the Industrial Park Overlay Review District, although the substance of the intent would differ for each district.
  - b. Create a comprehensive land use table to ease usage of the zoning text (avoid paging back and forth).
  - c. Home Occupations and Resident Professional Offices should be defined independently in order to better differentiate between these businesses. Number of employees, volume of clients, parking, signage and general nature of the business should be taken into account.
  - d. In an effort to streamline and simplify the zoning code, the following changes are recommended:
    - Consider in the future combining the R-90 and R-90 A, R-75 and R75 A and R-65 and R65 A districts (making 3 districts instead of 6). The major difference between each set of districts is two-family dwellings and home based professional offices are allowed as permitted uses in the districts with the "A" designation. These uses could then be allowed with Special Use Permits in the new combined districts. The Special Use Permits will limit them to certain roads and have conditions to protect the goals of the Town.
    - If the purpose of the R-100A district is to encourage agricultural uses to continue, then additional commercial uses compatible or supporting agriculture should be allowed on a small scale. At the same time large lot residential should not be encouraged, unless accomplished in a clustered design that fosters the continuation of agricultural uses.
  - e. Evaluate the cumulative listing of permitted uses allowed by the strict hierarchy between districts (suggest spelling out uses in each district to avoid having to page back and forth).
  - f. The existing zoning is fairly restrictive on the establishment of new restaurants. Specific criteria can be placed on their location and site planning either directly through the district regulations or through specifics of an overlay district.
  - g. Include the bulk zoning requirements in the zoning district section and eliminate the separate section in Article III (also have a summary table to assist with reviews).
  - h. Zoning map amendments:
    - In order to allow the transition to commercial uses, the M-1 district along Slade Avenue/Ridge Road/Orchard Park Road and Langner Road should be re-zoned to C-1 or C-2. An alternative would be to create a third commercial zoning district category.
    - In the future, consider rezoning the Buffalo Airpark. Under the present zoning, uses that are not compatible with the surrounding residential land use pattern would be allowed to replace the airport. If rezoned, the existing use will be able to remain as a pre-existing non-conforming use.
    - Rezone much of the undeveloped M-1 district along Clinton Street (west of Inter Drive) to a new district that encourages low-density land uses such as agricultural related commercial, smaller scale retail, outdoor recreation, and agri-tourism. Allowed uses should be compatible with the open, less intensely

developed character of the area. High-density residential development or large-scale commercial retail should not be allowed in this area.

- i. Special Use Permits
    - Expand the list of uses in each district that require a Special Use Permit.
    - For certain uses requiring a special use permit, add specific conditions or criteria that must be met for the uses to be allowed in the proposed location.
    - The Code needs clarification as to whether uses allowed by Special Use Permit in a lower district are considered Special Uses or Permitted Uses in higher districts. For example, it is recommended that the zoning clearly state that if a use requires a Special Use Permit in the C-2 district then it continues to require the Special Use Permit in the higher M-1 or M-2 districts.
    - Change Special Use Permit language in Section 120-23 to state that land uses identified as special uses are not "by right" but allowable only if they meet certain conditions. The approval process must show that the applicant has proven that they meet the general law and specific requirements.
    - There are existing non-conforming land uses that would require a Special Use Permit, but are "grandfathered". These uses would require a Special Use Permit if they make major changes or additions to their facilities.
3. Article II A
- a. Utilizing the concepts in the existing Industrial Park Overlay District, either create another overlay district or modify the general standards in the M-1 and M-2 districts in order to enhance the standards in other industrial areas. These areas are identified on the vision map and discussed in the analysis section of this plan. These areas will have different requirements and review processes than those in the NAC.
  - b. Create the following zoning overlay districts (Articles IIB, IIC, IID, etc.):
    - Transit Road Overlay: This overlay will address aesthetics, access management issues (distance between drives, cross-access, joint/shared driveways), landscaping, other design standards, etc.
    - Union Road Overlay: Consists of three areas, the area in the Town Center, the Gardenville Heritage area, and the area between these two. See later sections for more information on the Town Center and Gardenville Heritage areas of this overlay. For the transitional area between these two areas, the following standards shall be included: landscaping, design standards, and access management. This area will complement the Town Center and the Gardenville Heritage areas to the north and south.
    - Stream Corridor Overlays along Buffalo Creek, Cazenovia Creek, and Smoke Creek. These overlays will re-enforce the conservation language in Article I, and contain additional design requirements.
    - Ridge Road/Potters Road Overlay: In conjunction with the zoning district modifications in this area, an overlay can be added to improve upon the large-scale regional retail aspect of this area. This overlay will include upgraded design standards including building appearance, landscaping, and connectivity between sites.
    - Seneca Street Overlay (from Ridge to Union): This overlay will include design requirements such as architectural compatibility, parking at the rear or side, signage and landscaping. The overall intent of this overlay will be to encourage

protection of the character of this area and discourage the tear down of existing structures. Residential homes can be converted to commercial uses but the Code will establish a preference for redevelopment of existing structures and discourage the construction of standard commercial structures. This area can be included in a Town Center Overlay. New construction would be allowed, but in a scale and style compatible with existing buildings.

4. Article III – Bulk Regulations
  - a. Remove bulk regulations from this article and add to individual zoning districts.
  - b. Rename article to supplemental bulk requirements.
5. Article III A – Sign Regulations
  - a. Add statement that sign regulations can be altered by overlay zoning requirements (see overlays for additional requirements – overlays supercede these regulations).
  - b. Monitor court cases on billboard signs and amend as necessary.
6. Article IV – Off-Street Parking Regulations
  - a. Add statement that parking regulations can be altered by overlay zoning requirements.
7. New Components of the Code
  - a. Creation of site plan development requirements to help better regulate development (and redevelopment) in Town and to ensure that the new overlay districts are followed. The Town should create site plan development regulations and empower the Planning Board to approve site plans. The following are highlights of these new regulations:
    - A standard procedure following general town law will be established. The process will be efficient and not require a public hearing.
    - The types of actions requiring site plan approval will be clearly established. All projects requiring a building permit or determined to be a change of use will require site plan approval. Small projects below certain thresholds will not require full site plan approval but will have a site plan waiver process.
    - A statement will be included that states that site plan approval procedures can be modified by certain zoning overlays.
  - b. Cluster development regulations should be created. Create cluster development regulations that provide guidelines for the Planning Board in amending bulk requirements in subdivisions and also to complement the new PUD regulations (see below). These regulations will include standard regulations for usage in large-scale developments such as PUD's, but will also include usage for small-scale subdivisions and re-subdivisions. This will allow more creative type developments that are more neighborhood friendly.
  - c. PUD (Planned Unit Development) regulations. Create PUD regulations, which allow for mixed uses on a single site. This is a "floating" zoning district that can be applied (re-zoning) to any property in Town that meets the intent of these regulations and the Comprehensive Plan. The West Seneca Developmental Center site is one such property that could be rezoned to a PUD. For this property, the Town should work with the State in establishing the criteria for this PUD designation.

8. Article IX Definitions. This section will need amending to include definitions for new terms created by the zoning amendments.
9. Creation of a Town Center: The following zoning amendments will help to create a framework for the establishment of a Town Center (see Section C for additional non-zoning recommendations). These zoning changes alone will not create the Town Center but provide regulations guiding how development and redevelopment can take place within this area. To accomplish this, two zoning overlay districts are to be established:
  - a. Union Road Overlay: As discussed previously, a zoning district overlay should be created for the Union Road corridor. The corridor will include three sections, with one section being the "Town Center Area". This area will include design standards that will include architectural guidelines, limits on sizes of structures, landscaping standards to fit into the streetscape project, sidewalk connection, access management, parking (including reductions in parking requirements for on-street parking and municipal lots).
  - b. Town Center Overlay: this overlay's major function is to help in establishing and adding boundaries to the Town Center and will include design regulations for development in this area. With these consistent design regulations, the area will maintain its important attributes and slowly change those uses that do not conform to these standards. The idea is to create a "Village" atmosphere with smaller-type commercial uses mixed in with residential areas. Walkability and aesthetics should play key roles in these regulations.
10. Gardenville Heritage Area: like the Town Center, the following zoning amendments will assist in creating a Gardenville Heritage Area in the area around the Charles E. Burchfield Arts and Nature Center (see section D for additional non-zoning recommendations). This action will not create this Heritage concept but will provide guidelines for development and redevelopment in this area. The following are the suggested zoning modifications:
  - a. Union Road Overlay: As discussed previously, a linear Union Road overlay should be created with three areas, with one being the Gardenville area. The overlay requirements in this area will focus on architecture, access management and streetscape issues.
  - b. Gardenville Overlay: this overlay will help in locating the boundaries of this area and in establishing design regulations for development and redevelopment in this region. These regulations will include aesthetic requirements to match the historical character of the area, connectivity issues (paths, sidewalks, and trails), and signage restrictions. Procedures and requirements for any development that includes the tearing down of an important structure (identified by the Town) will be much stricter than for renovations of those structures.
  - c. Zoning modifications to the west of Gardenville should continue the tourism aspect of this region. This area can provide adequate space for entertainment and recreation activities that may need more land than would be appropriate within the main Gardenville Heritage Area.
11. Create a digital zoning map that accurately depicts the existing zoning of the Town.

**Process / Procedure / Priority – Zoning Code Amendments**

The appendix of this plan includes the actual language of proposed zoning amendments. While the Town could concurrently adopt these zoning amendments with the Comprehensive Plan, it is recommended that the Plan be adopted first, and the zoning changes adopted separately. This will simplify the process of adopting the Comprehensive Plan, and enable the Town to move forward on other action items. Once the Comprehensive Plan is adopted, the Town Board would begin the process of adopting the zoning amendments. This process could follow the standard process for adopting zoning amendments, but given the extent of the changes, a thorough notification process is recommended, with not only required notices but articles in the local newspapers to inform the public of the proposed changes. The recommended zoning amendments could be modified in response to specific comments and inputs from the public.

It is recommended that the Town Board form a Code Review Committee (consisting of Town Board, Planning Board and Zoning Board members, the Town Attorney, and Building Inspector) that could help prepare those recommended amendments to the code. The committee will continually monitor the zoning code.

All the Priority One zoning code amendments (text included in appendix) should be implemented in Year 1 or Year 2. Other code amendments can be completed as needed.

**Costs / Funding Sources – Zoning Code Amendments**

For the zoning amendments for Year 1 are included in the appendix of the plan, the only costs will be for publication and costs from Code Publishers.

Future code amendments could be completed by the zoning code committee but could involve the use of a consultant. These costs could be in the range of \$3,000 to \$7,000 per year depending on the amount of code revisions. These future amendments will also include costs for publication and Code Publishers.

Few, if any, funding sources are available for these type of actions and all costs will be typically borne by the Town.

**C. Town Center Creation**

One of the major objectives of the Comprehensive Plan was to establish a "Town Center" for West Seneca. This area would act as the "Village of West Seneca" and include a Central Business District, Town services, and a tightly knit residential community. The Vision Map of this plan illustrates this Town Center area, which includes the area historically known as Ebenezer; the Town Hall complex, the Union Road/Seneca Street business areas, and the residential areas surrounding these areas. Important components of these residential areas are the schools (West Seneca West Senior High School and West Seneca East Senior High School) and the Town Senior Center. The purpose of this "Village" or "Hamlet Area" is to be a focal point of the Town that helps in establishing the community's image. It will provide a targeted area of improvements to ensure that the area is connected to the

community, aesthetically improved, is a viable economic area, is livable, and provides the appropriate services to the residents of the community.

### **Priority One / First Year Actions – Town Center**

1. Establish a Town Center Committee (include representatives from the Town Board, Planning Board, School Board, Business Chamber, neighborhoods and others as necessary).
2. Implement the zoning code revisions for this area (see B. Zoning Ordinance).
3. Utilize and update as necessary the Vision Map as it pertains to projects in the Town Center area.
4. Implement Phase 1 of the Union Road Streetscape Plan (Norwood to Southgate Plaza).
5. Meet with the local NYSDOT representatives to discuss other streetscape improvements in this area and the future plans for Union Road. Establish priorities, based on this plan, for future streetscape projects.
6. Meet with local and Albany based NYSDOT representatives to discuss traffic calming and access management for the Union Road corridor.
7. Work with Town, NYSDOT and County representatives in creating ideas for gateway features in the Town Center region. Locations, types of designs, responsibilities, and costs will be discussed.
8. Prioritize and scope improvements needed in the Town Hall / Centennial Park complex.
9. Create a pedestrian plan for the Town Center area, focusing on connecting the residential areas, schools, Senior Center and the downtown (Central Business District areas and community facilities). These can be new sidewalks, walking paths, enlarged shoulders, etc.
10. Work with Erie County, the Chamber of Commerce, and the WSDC in reestablishing a 485(b) program. Sample program language is being included in the appendix of this plan. This program will encourage improvements to businesses and will be helpful with the next recommendation.
11. This same group should also evaluate the use of the County's façade improvement program and the Town should consider supplementing this program. Monies should be targeted in the Union Road /Seneca Street business corridors.
12. The Town should focus community development monies in the Town Center area, and should look for additional monies to help homeowners make improvements to their homes, and apply for grants to assist with these projects.
13. The committee should make recommendations for actions for Year 2 and budget requirements.

### **Priority 2: Years 2 through 5 – Town Center**

1. Continue to reappoint and/or recruit new individuals for the Town Center Committee.
2. Continue to utilize and update the Vision Map (this is not a static plan).
3. Continue to implement streetscape improvements in the Union Road corridor. Update the streetscape plan for this area. Have a completed plan ready for when the State is planning to perform the next major improvement project to Union Road.
4. Create and implement an access management ordinance (with assistance from NYSDOT).
5. Finish a traffic calming plan for Union, and possibly implement some traffic calming measures.



6. Begin to design and implement gateway features.
7. Make yearly improvements to the Town Hall / Centennial Park complex.
8. Invest monies in improving sidewalks and other pedestrian features (pathways, widened shoulders, etc.).
9. Reallocate funds or look for additional monies for the façade program.
10. Advertise and continue to offer monies for home improvements in the Town Center region.
11. Make recommendations to the Town Board on other ideas for this area.
12. Work with other committees, boards, and departments in implementing other actions that will have a positive impact on the Town Center.
13. Contact agencies such as New York Planning Federation, New York Main Street Alliance, New York State Urban Council, and other communities to get ideas and share experiences on issues dealing with downtowns, hamlets and villages.

### Costs / Funding Sources – Town Center

1. Priority 1 Actions
  - a. Actions 1-3: No costs or costs identified in other sections of this plan (zoning amendments).
  - b. Action 4: Phase 1 streetscape costs identified, already include funding sources.
  - c. Actions 5-7: Meetings with agencies involve little costs. May need consulting costs to help with schematic designs and issues.
    - Allocate \$3,000 - \$5,000.
    - Funding sources would be through the NYSDOT. Their share may be their involvement or use of their design professionals. Some monies could be allocated by the NYSDOT for some minor streetscape improvements.
  - d. Actions 8 & 9: To be completed by the Town committees and departments. These will be internal costs and will be the responsibility of the Town.
  - e. Actions 10 & 11: Initial costs for investigating these programs (485(b) and façade programs) are minimal. Erie County is considering establishment of a façade program, which the Town could use.
  - f. Action 12: Focus of community development dollars will have no additional costs and are supported by federal dollars.
  - g. Action 13: Town representatives can do grant applications but additional assistance from a grants consultant may be necessary. Allocate \$4,000 - \$6,000 for this extra effort.
2. Priority 2 Actions
  - a. Actions 1 & 2: No costs.
  - b. Action 3: The completion of the design and implementation of a full streetscape plan will be the responsibility of the NYSDOT at some future date. The Town may attempt to influence this future design through the completed outline in this plan.
  - c. Actions 4 & 5: With the assistance of the NYSDOT, the Town may be able to complete an access management ordinance and a traffic calming plan. Costs to the Town could include a consultant and ordinance preparation amounting to \$5,000 - \$7,000. Implementation of traffic calming will be the responsibility of the NYSDOT.

- d. Actions 6-8: These public improvements will require the expenditure of capital funds. Grants for such improvements may be found through various programs and could be assisted by the NYSDOT.
- e. Actions 9 & 10: These programs will be assisted by agency dollars, but will necessitate investments by the Town. The Town should appropriate monies each year for these programs.

#### **D. Gardenville Heritage Area Creation**

The Gardenville Heritage Area, although identified early in the planning process as a specific objective, actually embodies many of the goals and objectives of the comprehensive plan. By accomplishing the recommendations listed in the following section the following goals will be accomplished: Protection of important environmental features and open space, protection of important historic, cultural and recreation features, revitalization and reuse of older residential neighborhoods and business districts, improvements to the transportation system, recognition of the high quality of life issues and highlights the "spirit" of West Seneca, encouragement of economic development opportunities, and ensures that public facilities adequately meet the future community needs.

##### **Priority One – First Year Actions – Gardenville Heritage Area**

1. In establishing the Gardenville overlay, as discussed in the previous section, the Town should continue to upgrade the plan (map) for this area. This can be started by the formation of a Gardenville Heritage Area Committee. This committee will lead the efforts for this area (plan is not static).
2. The zoning amendments discussed in Section B should be implemented.
3. Meet with the NYSDOT to discuss streetscape improvements and traffic calming along Union Road in this area.
4. The central focus of this area is the Charles E. Burchfield Arts and Nature Center. Investments in this asset and taking advantage of this feature should be the major actions.
  - The Town should investigate the acquisition of additional lands surrounding the Charles E. Burchfield Arts and Nature Center (see map).
  - Make the area walkable around the Charles E. Burchfield Arts and Nature Center. Provide connections to all areas around this Center (especially other tourism features of the area).
  - Continue to expand and improve upon the marketing plan for the Charles E. Burchfield Arts and Nature Center.
  - Target community development monies on the Center and make improvements to the surrounding features.
5. Complete the Seneca Creek Pathway Trail. Make sure that it is well connected into the Charles E. Burchfield Arts and Nature Center.
6. Identify the historic structures and those having cultural and local significance (add to the plan).
7. Begin investigating additional events that can take place in the Gardenville area.
8. Create a plan for gateway features and signage for the Gardenville area. The gateway features will be located as indicated in this comprehensive plan and will be to announce

entrance into this area. Signage plans will be to mark important features, and for “way-finding”.

9. Make recommendations to the Town Board for implementation actions for Year 2 and any changes to the plan. Apply for grants as necessary.

### **Priority 2: Years 2 through 5 – Gardenville Heritage Area**

1. Create a new map/brochure for this area depicting the features of the area. Also discuss connections to other features of the Town and surrounding communities (Seneca Creek Pathway, Lehigh Valley Rail Corridor, other related highlights in surrounding area).
2. Begin streetscape (landscaping, lighting, curbing, sidewalks, crosswalks) improvements in the area directly surrounding the Charles E. Burchfield Arts and Nature Center. Aesthetic improvements are a priority for the intersection of Clinton and Union.
3. Obtain some additional lands around the “Center” and begin pathway connections to the Seneca Creek Pathway and other connections to the surrounding areas.
4. Implement the gateway feature plan and begin adding “wayfinding” signage.
5. For those historic structures identified in the first year action, discuss potential historic status (if appropriate) with owners, or help in obtaining monies to fix structures.

### **Costs / Funding Sources – Gardenville Heritage Area**

1. Priority 1: Actions
  - a. Actions 1 & 2: No costs (being taken care of in this plan). The formation of a committee should have minimal costs.
  - b. Action 3: No costs for meeting.
  - c. Action 4: Much of this task is planning improvements to the Charles E. Burchfield Arts and Nature Center and the area around it. The potential acquisition of additional lands and making the area walkable will require Town monies. Once these actions are planned, costs can be associated with them and grants sought.
  - d. Action 5: The improvements planned for the Seneca Creek Pathway have already been planned and costs identified.
  - e. Actions 6 & 7: Identification of historic and cultural structures and investigating area events will be done by Town officials and community volunteers.
  - f. Action 8: Creation of a gateway feature and wayfinding plan will require a consultant (or may be able to get the NYSDOT Landscape Architecture Dept. to assist) and may cost \$5,000 to \$10,000.
2. Priority 2: Actions
  - a. Action 1: Creation of a new map/brochure should require an allocation of funds of \$2,000 to \$5,000.
  - b. Action 2: It is the hope of the Town that streetscape improvements on Union and Clinton will be funded by New York State.
  - c. Actions 3 & 4: Costs for these actions will be identified in the planning stages in Year 1.
  - d. Action 5: No costs to the Town.

## E. Other Laws and Regulations

The following laws and regulations will help in achieving some of the goals and objectives of the community. Utilizing these suggestions, the Town through the Code Review Committee formed to amend the zoning, will formulate these new laws and regulations.

### Priority 1 Actions – Other Laws and Regulations

1. Create a set of rural development guidelines to be utilized in the last remaining undeveloped areas of the Town in the northwest and southwest corners.
2. Review the Property Maintenance law (chapter 92) in order to determine if its requirements need to be updated or if the enforcement process should be modified. Begin the process by performing public outreach to determine the desire and type of law needed. Issues to consider in this Amendment include: stacking of firewood, compost piles, storage and unregistered vehicles, etc.
3. Update the Town's subdivision regulations (see Appendix E for sample).

### Priority 2 Actions (dependent on other actions or longer term)

1. After the completion of a tree inventory (recommended in another section), the Town should evaluate its "trees" ordinance and see if it needs to be amended to address important stands of trees in the Town.
2. The Town will need to adopt new Phase II Stormwater regulations by 2008.
3. Amend the Property Maintenance Law, if necessary.

## F. Projects and Activities

The following recommendations include the projects and other activities that the Town can complete to achieve the community's vision. Many of these projects will be done in coordination with other recommendations to achieve the desired results. A Comprehensive Plan Implementation Committee formed by the Town Board will coordinate many of these activities.

### Priority 1: First Year Actions – Projects and Activities

1. Continue investigating the acquisition of the property adjoining the West Seneca Soccer Complex. This property could help to join other Town properties together and can be utilized for passive recreation.
2. If not protected by the development of a PUD at the West Seneca Developmental Center, the Leydecker Woods should be protected by some other means. The Town should investigate different ways of protecting this asset (purchase, conservation easement, etc.). In devising this plan, the Town should also investigate protection of other connective features to these woods.
3. Investigate the expansion of the Seneca Creek Pathway south and possible connection to Smoke Creek and pathways in Orchard Park (work with Orchard Park on this possibility). Any project would be a long-term action that would not occur in the planning period of this document.
4. Begin a tree management plan, by expanding upon the GIS demonstration tree survey. This will entail surveying the existing trees in the Town's right-of-ways (including State,

- County and Town roads), and noting their conditions. Other main stands of trees can also be added to the system. Once this record is established, a plan for maintenance, trimming, planting, etc. can be made.
5. The Town should expand upon the environmental data section of the Comprehensive Plan by completing a more comprehensive natural resource inventory. Information could include more watershed data, fish resources (NYSDEC stocking, TU stocking, spawning grounds), wildlife and bird resources, archeological resources, and additional greenway information. Additional environmental issues in the Town should also be investigated: Septic system overflows, sediment loading – bacterial – contaminated sediments, SPDES permit locations, new MS4 requirements, sanitary sewer overflows, air quality, hazardous waste information and Community Right-To-Know Act.
  6. Complete an important open space and green space inventory for the Town, utilizing this comprehensive plan as a basis, and the West Seneca Municipal Open Space and Greenway Protection Plan (incorporated into this Comprehensive Plan).
  7. Continue to investigation of the creation of a new recreation area in the northeast sector of the Town. This investigation will not only be for a location, but on the needs of the residents of that area.
  8. Create a connective feature between Fireman's and Sunshine Parks. In the first year investigate the possibility of accomplishing this.
  9. Work with the new owners of the Buffalo Airfield to discuss long term plans of the property. If, in the long run, the property is not used as an airport, it should be rezoned to match the surrounding residential areas. The Town would like to see consideration given to the long-term conversion of the property to residential uses rather than commercial or industrial uses other than the Airpark.
  10. The Town should begin work with the state in creating a PUD plan for the West Seneca Developmental Center site. Ideas for this PUD include residential (single and multi-family), medical office/office, limited neighborhood-support commercial (non-retail), and the preserving of the steep slopes and greenspace (Leydecker Woods). This PUD plan should be in a campus-like setting to incorporate the existing features of the site.
  11. The Town should work with the NYSDOT on a corridor management plan for Transit Road. This should be in conjunction with the creation of the Transit Road overlay.
  12. A communication plan between Town government and the residents of the community should be created.
  13. Continue to market the available sites in the North America Industrial Park. Incorporate some of the ideas of this comprehensive plan, and let the people know that the Town is investing in its future.
  14. Begin meetings with the NYS Thruway Authority and the NYSDOT about improving the entranceways into the community (not only traffic-wise, but also aesthetically).
  15. Continue to maintain the needs of the senior population and activities and programs at the Senior Center. Give consideration to planning an expansion of the Senior Center.
  16. Make recommendations to the Town Board on budgeting and implementation actions for the coming year. Create a comprehensive plan implementation plan, which includes funding allocations and grant applications.
  17. Sponsor quarterly meetings with the school district, to coordinate the implementation actions of the comprehensive plan. The school district should be involved in many of these actions and should be represented on some implementation committees.

**Priority 2: or Second Steps – Projects and Activities**

1. Pursue grants and funding options for the acquisition of lands (property adjoining West Seneca Soccer complex, Leydecker Woods, stream corridors, lands for additional paths, etc.) and implement those that are feasible. If not feasible, also consider the usage of conservation easements or just purchasing the development rights of these lands.
2. Continue the implementation of a tree management plan.
3. Begin the design and implementation of gateway features throughout the community (those not already worked on – see Vision Map).
4. If found to be needed and a proper location is found, acquire property in the northeast section of the community for a recreation area.
5. If a large recreation complex is established west of Gardenville, implement connective features into Gardenville and provide additional signage.
6. If an acceptable PUD plan for the West Seneca Developmental Center is found, rezone the property to PUD.
7. The Town should work with the NYSDOT in creating a corridor management plan for the Harlem/Orchard Park Road corridor.
8. With the actions completed in the first year beginning the momentum, the Town should form a West Seneca Pride program and organization. This group will help to work with neighborhoods in thinking of ways to improve their areas and West Seneca in general. Neighborhood clean-ups, park restoration, Habitat for Humanity, and other community projects can be some of the actions taken.
9. As improvements are made to public facilities, and the improvements made in the Town Center and Gardenville, the Town should sponsor more community events to celebrate these achievements. Implementation of the Town's communication plan will also help to spread the word about these events and activities.
10. With the framework set in the first year, the Town should improve their public outreach program. In conjunction with the communication plan, the Town should sponsor neighborhood meetings to help educate the public about municipal projects and receive input on the needs of the residents.
11. The Town should also consider a public relations program to get the word out about the Town and its vision, not only to the residents of the community but to the surrounding region.
12. Due to the complexity of actions being taken to implement the plan, and the new codes and regulations, the Town should consider hiring a planning consultant to assist the Town with these activities. The Town will probably use some consultants in the first year in establishing laws and planning the actions, and this experience will help them to choose a consultant for the years ahead.
13. Continue to work with the NYS Thruway Authority and NYSDOT in improving entrances and aesthetics in the community.
14. Based on demographic projections and the needs established in the first year of the senior population, begin to implement new senior services in the Town.
15. Complete a yearly review of the comprehensive plan, and every three years consider an update to the plan. This update could go through the normal adoption process and could end up with the adoption of a comprehensive plan update. The public hearings associated with these updates will ensure that the plan stays up-to-date and represents the vision of the residents of the community.
16. Continue to work with the school districts and include community churches in trying to serve the residents of the many neighborhoods in West Seneca.

### **Vision Maps**

The following “Vision Maps” represent a visual depiction of some of the concepts and ideas of the Comprehensive Plan. Two maps are utilized only for clarity purposes, as the maps would be too difficult to read at this scale with so much information on them. These Vision Maps are not future land use maps, nor do they have any direct correlation to zoning in the Town. These maps can only be utilized in conjunction with the text of the Comprehensive Plan, and are intended to illustrate its recommendations.

## **SECTION VI: ENVIRONMENTAL REVIEW**



## SECTION VI – ENVIRONMENTAL REVIEW

Typically, the potential environmental impacts of a Comprehensive Plan are evaluated through a Generic Environmental Impact Statement (GEIS). To meet this requirement, the Comprehensive Plan itself can be set up to represent the GEIS (see §272-a.8 of Town Law). This format enables the reviewers, the Lead Agency, all involved and interested agencies, and the public to review one comprehensive document that outlines Plans for the future and the potential environmental implications of these Plans. This section of the Comprehensive Plan has been provided to assist with the environmental review for this document.

A GEIS, like an Environmental Impact Statement, includes a section on Environmental Setting. Section I of this Comprehensive Plan provides a description of the environmental setting of the Towns of West Seneca as it exists now. Section I includes information on the following:

- Existing Land Use (F & Map 9)
- Farmland and Agriculture
- Land Use Regulations (F)
- Steep Slopes (Map 3)
- Soils and Prime Farm Soils (B & Map 4 & 5)
- Stream Corridors and Watersheds (B & Map 2)
- Flooding and Erosion (B & Map 3)
- Wetlands (B & Map 3)
- Environmental Hazards (Map 3)
- Socio-economic Conditions (E)
- Economic Development (E)
- Transportation systems (C & Map 6)
- Utilities (G)
- Parks and Recreation (D & Map 8)
- Schools (D & Map 7 & 8)
- Emergency Facilities (H)
- Government Facilities (H)
- Historic and Archeological Resources (D)

### A. Potential Significant Adverse Environmental Impacts

The underlying purpose and a major goal of the Comprehensive Plan is to promote appropriate land use and avoid significant adverse environment impacts in the community that it covers. However, it is important here to acknowledge and discuss potential adverse impacts. For this Comprehensive Plan, the impacts specific to the community are outlined individually.

***Short term/long term and cumulative impacts (also refer to Section V and the Findings)***

Based on the environmental setting of the Town of West Seneca, the following potentially significant adverse environmental impacts could occur if the community did not Plan adequately and provide the proper tools for the management of growth and development. The Comprehensive Plan is designed to properly guide growth in the Town to lessen the negative impacts of land use and development decisions. Based on the format of the Full Environmental Assessment form (SEQR Areas of Review), the following are the potential short term and long term impacts due to present growth patterns and how they may be affected by the actions of this Plan:

***a. Impacts on Land***

- The Town has very limited areas of steep slopes, and these areas are being avoided under present and proposed growth patterns.
- New site Plan regulations, overlay zoning districts and other proposed ordinances will help the Town in regulating future developments' impact to poor soils areas, floodways and any unique Town land forms.
- In general, the Town has limited areas for future development and this Plan helps to focus any development to existing areas of development for redevelopment. In those areas of presently non-developed lands, the new regulations add stronger rules for development.

***b. Impacts on Water***

- The Town has limited areas of Federal and State wetlands. Some of these areas have been identified on the Comprehensive Plan mapping and new regulations are being proposed to ensure that these areas are protected or at least considered on future development proposals.
- The Town's major features include the three major watersheds that run through the Town: Buffalo Creek, Cazenovia Creek – Buffalo River, and Smoke Creek. These watershed and waterways include large flood plain areas and important natural resources (trees, wildlife habitats, etc.). The Comprehensive Plan acknowledges the importance of these waterways and proposes several actions to help protect and preserve these features: stream corridor overlays, purchasing lands along or adjacent to these corridors and open space Planning for the Town including these corridors.
- The Town will continue to implement the new Phase 2 stormwater regulations (SPDES), thus helping to protect the community's waterways (including protection from erosion and siltation).
- The Town is almost completely "watered and sewered" (public water and sewer systems available) and growth and redevelopment is targeted for these areas. The Town will continue to invest in this infrastructure and does not foresee major problems with capacity issues.

***c. Impacts on Plants and Animals***

- No substantial critical or significant wildlife habitats were identified on the Plan. Smaller, localized habitats will be affected by new regulations that may help in preserving these features.
- Through the actions of this Plan, more protection will be afforded the Town's waterways, and important areas may be preserved through acquisition. These actions will help to protect non-protected species and habitats.

***d. Impacts on Agricultural Land Resources***

- Very little agricultural land exists in the Town with more identified in Local or Regional Plans, and with no State Agricultural Districts. These remaining agricultural lands exist in areas of Industrial and R-100A Zoning Districts, which afford little protection to these lands. Present patterns of development slow the loss of these remaining lands in the near future.
- The Comprehensive Plan recommends only two actions that may affect these remaining agricultural lands. First, the R-100A District is recommended to have an intent section that refers to agricultural uses, and some of the industrial lands would be rezoned to a new agricultural-tourism-recreation zoning district. The intent here is to help these remaining agricultural lands by acknowledging their presence in the area and providing tourism opportunities for them to exist.

***e. Impacts on Aesthetic Resources***

- The Town presently has little control over the potential impacts of new development on the aesthetics of the Town.
- The Town is also experiencing the degradation of some of the Town's structures and appearances of neighborhoods due to the aging of these attributes (first being suburb aging).
- To counter these things, the Town is proposing more controls over development and initiated some programs and actions to warrant re-investment in these structures.
- Efforts such as the Gardenville overlay and Plan will help in targeting important historic structures for preservation and to improve the overall aesthetics of the area.
- Streetscaping, access management, façade programs, etc. will also help in improving appearances along the Town's roads.

***f. Impact on Open Space and Recreation***

- The Town has limited major areas of open space. These existing areas are predominantly located along the stream corridors of the Town and there are some in the southwest corner of the community.

- Recreational opportunities are supplied through mostly Town facilities and school sites. Other recreational opportunities are supplied by private businesses and by other governmental facilities within the Town and just outside the Town.
- The Plan recognizes these open space and recreational opportunities and encourages their protection, improvement and expansion.

***g. Impact on Transportation***

- The Town has two access points to the Interstate Highway System (Rt. 90), and is also serviced by Route 400 and several other major State roads (Route 78, 16, 277, 354, 20 and 240).
- The Town, like many suburban communities, has several problem areas in its transportation system due to growth within and outside of the Town.
- As new growth (inside and outside of the Town) and redevelopment occur (and with societal changes - more cars per household, more trips), the Town's automotive transportation system will continue to be impacted.
- Creation of new overlay zoning districts along some major corridors, access management requirements, and work with the NYSDOT will help to mitigate these impacts.

***h. Impact on Growth and Character of Community or Neighborhood***

- The trend for smaller households and the lack of buildable lands will lead to a potential decline in population over the next ten years.
- The Town's Plan focuses mainly on redevelopment and making the community more aesthetically pleasing.

**B. Adverse Environmental Impacts that Cannot be Avoided**

With or without the adoption and implementation of the West Seneca Comprehensive Plan, the Town will continue to have new development and redevelopment that will impact the environment. The adoption of this Plan will allow the Town to better manage growth and development, and reduce potential environmental impacts. All development actions taking place after the adoption of this Plan will still be subject to the State Environmental Quality Review (SEQR) process on a site specific basis. This comprehensive Plan, though, will assist with the review of development actions. In the instance of a rezoning request, this Plan will have a much greater impact on that decision and the SEQR process. Zoning must be in accordance with the community's comprehensive Plan.

**C. Growth Inducing Aspects of the Plan**

Most of the implementation actions outlined in this Plan will help to control and moderate growth within the community. Certain actions will act to encourage development (and

redevelopment) in specific areas of the Town. Specifically, redevelopment in and around the central business district, the hamlet, and the smaller hamlet areas. These areas have been deemed to be the most appropriate areas for development and redevelopment.

#### **D. Mitigation Measures**

It is the objective of this Comprehensive Plan to help to reduce the potential impacts that could be caused by the present development trends in the Planning community. This can be accomplished by providing techniques for changing the development trends of a community, such as amending zoning or other development regulations, or by providing tools to help mitigate the possible impacts of those development trends (improved infrastructure, increased/improved standards for development, etc.). A good Comprehensive Plan will supply techniques for changing the direction of the community, and the tools for reducing the impacts of development that themselves do not create other adverse environmental impacts. The following section discusses the Plan's recommendations and the logic as to why and how they help mitigate the potential impacts of future growth. (See Section V for further discussion of the recommendations.)

##### **a. *Impacts on Land***

- To help protect some of the remaining undeveloped lands in the Town, cluster development regulations are recommended. These regulations will help to preserve some of the more sensitive lands in these areas.
- The Plan also recommends that the Town pursue the acquisition of additional properties.
- The Plan also identifies important land features for consideration in any development/redevelopment proposals.

##### **b. *Impacts on Water***

- Creekside and Floodplain Protection Overlays are recommended by the Plan.
- Lands along the creek corridors are identified for acquisition.
- Continuation of the implementation of the Phase 2 stormwater regulations.

##### **c. *Impacts on Plants and Animals***

- Protection of the creek corridors and acquisition of sensitive lands will help to protect Plants and animals.

**d. *Impacts on Agricultural Land Resources***

- The Plan recommends some changes to the R-100 A district to better stress the importance of agriculture in this zone.
- Unfortunately, the Plan acknowledges the continued loss of productive agriculture but offers the utilization of agricultural related business and agri-tourism to support some remaining farm activities.

**e. *Impacts on Aesthetic Resources***

- The Plan recommends many techniques to protect the aesthetic resources of the Town and to improve them as redevelopment occurs. These techniques include zoning amendments, overlay districts, façade programs, buying important lands, promoting cluster development, creating design guidelines, gateway improvements, protection of historic properties, etc.

**f. *Impacts on Historic and Archaeological Resources***

- The creation of the Gardenville Heritage Area will help to protect some important historic and cultural features in the Town.

**g. *Impacts on Open Space, Parks and Recreation***

- The Plan identifies the important open space and recreation features of the community.
- Recommendations are made to obtain additional lands, add parks or recreation areas and coordinate recreation with the school systems.

**h. *Impacts on Transportation***

- Transportation in West Seneca is heavily based on roadways and automobiles. The Plan portrays the existing conditions of these roadway systems.
- There are localized problems within the community but no road segments identified as failing.
- The Plan recommends an access management law and overlay restrictions for the Union Road and Transit Road corridors.
- The Plan also promotes walkability and pathways to help relieve some of the automobile traffic in the Town.
- Because of the Town's location and having several major roadways within its borders, the Town transportation system is severely impacted by surrounding communities. The Town will need to work with regional agencies and its neighbors to help prevent future problems.

**i. *Impact on Growth and Character of Community or Neighborhood***

- The growth rate of the Town of West Seneca is fairly flat and will remain so with or without the adoption of the Plan.
- The Plan offers the community the opportunity to better control and determine how redevelopment can occur in the Town.
- The Plan also helps to direct the growth to targeted areas.
- Recommendations discussed throughout the Plan focuses on the character of the community and will help to create a Town Center, a Heritage Area, better commercial corridors, protection of important lands, improved design standards throughout the community, revitalization of older neighborhoods, and improved gateways.

**E. Evaluation of Alternatives**

Throughout the Planning process, alternatives for helping West Seneca achieve their Goals and Objectives were evaluated. These recommendations and implementation alternatives were evaluated for not only their desired results, but also their impact to the environment, the needs of local residents and private property rights, and the vitality of the community.

It must be noted that long term recommendations were not thoroughly evaluated in this section since these actions are only to be considered in extenuating circumstances where the Town is seeing greater levels of growth pressure or where short term recommendations are not achieving the desired results.

The “No Action” alternative was considered for the Town. However this alternative does not afford the Town the ability to direct and manage growth and mitigate potential environmental impacts like the recommendations of the Comprehensive Plan.

**F. Public Comment**

In addition to the public comment received throughout the completion of the Comprehensive Plan (see Appendix A), the official public hearing required in accordance with the adoption of a Comprehensive Plan was held on January 9, 2006. Public comment was also received through March of 2006, in the form of written correspondence. The coordinated SEQR process and referral of the plan to Interested and Involved Agencies also resulted in comments being received from various agencies. Results of this public hearing (meeting minutes, comment letters, etc.) are contained in Appendix A.

Some of the comments received concerned the need for greater environmental detail on existing conditions in the Town: Surface waters, water quarterly data, ecological resources, air quality, hazardous waste, archeological, etc. Unfortunately, budgetary constraints and the focus of the plan did not allow for this type of detailed information. Individual reviews of any actions (now augmented by new site plan regulations in the plan) will deal with all of these issues.

Comments concerning sewer and flooding problems in the Town are supported by the plan. It was not necessary to go into detail on these issues since the Town is presently studying and

completing actions relating to improving these problems. The plan fully supports these continued actions.

Many comments dealt with the protection of important environmental features, greenspaces, and cultural resources. The plan fully supports these initiatives, including them in the Town's overall goals and objectives, and supplying initial and long-term recommendations. Additional ideas included in public comment can be considered when these laws are formulated.

Comments on specific zoning issues relating to Clinton St. and Orchard Park Rd. will be addressed in greater detail at the time of setting up these new zoning districts. In general, the plan principles support the basic issues discussed by residents. Clinton should not be industrial, but a district that allows agriculture, low density residential, tourism related businesses, recreation, and agricultural related businesses. Orchard Park Rd. is basically mixed use, but should not allow large scale commercial uses.

In general, the plan addressed most of the issues brought out during the public hearing and public comment process. Some comments may have been too specific for the plan, and other too general in nature. In some instances, public comment supported the plan, in others the plan did not go far enough in meeting their needs, and in some cases the plan went too far and they believed it infringed upon their beliefs and ideals for the community.

In conclusion, the plan with its revisions, addresses in a general and comprehensive nature the potential environmental impacts of the plan. The plan provides methodologies for the Town to better protect the environmental features of the Town, but by itself cannot protect the Town from any environmental impact. As the Town promulgates laws to implement the plan, and projects are contemplated, independent SEQR processes will be completed. The plan will be used as a reference, but will not represent the only information needed to review these actions.



## **APPENDIX A – PUBLIC PARTICIPATION**

**January 9, 2006 Public Hearing**

- Meeting Minutes
- Agency Comments
- Public Correspondence Summary  
(copies of correspondence in separate Appendix available on request)

Public Correspondence Summary

In all, 26 pieces of correspondence were received from residents or local groups, including 2 e-mails, a memo signed by 25 residents, and a petition.

In general, the comments included the following:

- Concern about recreation areas – residents only.
- More business districts: Gardenville, Wynchester, Seneca-Hamlen-City line, East Seneca, etc.
- Sense of place – community involvement – regional thinking.
- Town should set future, not developers.
- Clinton – large facilities out of place – Ag. Is good.
- Don't restrict duplexes.
- Sewer problems (including Orchard Park Rd.).
- Need more bus service.
- Save greenspace, restrict SUP's, need sidewalks in certain areas.
- Make Gardenville heritage area bigger – add standards.
- Entrances into Town and facelifts, certain areas blighted.
- Quality of life – greenway plan.
- Stormwater/flooding issues.
- Standards for public mini-storage.
- Need new Town Park.
- Bullis Rd. zoning.
- Traffic calming on Clinton – bike lanes.
- Protect agriculture – best for community – historic.
- Bullis Rd. zoning – issues with land use map.
- Town Hall facility – problems.
- Public services are important.
- Restrict heavy industry.
- Make Town more environmentally friendly.
- Create tree-lined streets.
- Need better inventory of environmental conditions.
- Floodplain needs protection.
- Ecological resources of Town need identification and protection: fish, birds (migratory), forested areas, etc.
- Air quality issues need addressing.
- Hazardous waste issues and archaeological resources need addressing.
- Protect environmental features, open space, historic, cultural and recreation resources.
- Need good stream corridor protection overlay.
- Need strong land preservation techniques.
- Site plan review and cluster development comments.
- Recreation-tourism district should be more restrictive.
- Better tree ordinance needed.
- Gardenville overlay comments – preservation of historic places, and better intent section, define better, design recommendations.
- Lower speed limit on Orchard Park Rd.
- Preservation of land in the Ridge Rd., Langer Rd., Elmsford Dr., Orchard Park Rd. area.
- Zoning modifications needed in the Ridge Rd./Potters Rd. area.

## **APPENDIX B – ZONING AMENDMENTS**

## **APPENDIX B - PROPOSED ZONING AMENDMENTS**

### **A. Introduction**

This appendix contains draft amendments to the zoning ordinance, which constitutes Chapter 120 of the Code of the Town of West Seneca. These zoning amendments represent many of the recommendations set forth in the Town of West Seneca Comprehensive Plan Section V – Recommendations and Implementation.

Some recommendations were for revisions to existing code language. Other amendments are complete sections of new code and are provided as stand alone text to be inserted in the correct place in the document. Text in *italics* is for descriptive purposes and not intended for inclusion in the final code. These codes, when completed, will require the full Adoption of Law Process, including public hearings and SEQR.

### **B. Zoning Code Amendments Summary**

The following “outline” represents each section of the Zoning Code, and discusses any changes needed. Part C of this appendix includes those amendments that are priority and have been written for the Town. Some code revisions are not priority and Appendix D includes samples that the town can utilize to begin these changes in the future.

#### **1. Specific Code Amendments**

##### **Article I – General Provisions**

§120-1 & §120-1.1 – Remain the same.

§120-2 – Amend to include new districts & overlays.

§120-3 & §120-4 – Remain the same.

§120-5 – Remain the same.

§120-6 – Remain the same.

§120-7 – Add cable and fiber optic lines reference.

§120-7A – Consider adding a conservation language section at a later date (see attachment example from Hamburg).

§120-8, §120-9, §120-10, §120-11 & §120-12 – Remain the same.

##### **Article II – Use Regulations**

§120-13 – Permitted Uses in R-90, R-75 and R-65 Districts.

- Add Intent Section (residential areas for single-family homes).
- Consider adding home occupation in this section under Accessory Uses.
- Add bulk requirements.

§120-14 – Permitted Uses in the R-90A, R-75A and R-65A Districts.

- Add Intent Section (residential areas of varying bulk requirements located along some major Town roads that allow single-family, two-family and some small residential accessory type businesses).
- No other changes, but see zoning map potential changes (only zone certain areas with the “A” designation – too many areas zoned).

§120-15 (reserved)

§120-16 – Permitted Uses in R-50 Districts.

- Add Intent Section (high-density residential areas of the Town allowing single-family, two-family and multi-family residential uses and small residential accessory type businesses. These areas are, in general, the city-side areas of the Town and in the Gardenville area).
- Add bulk requirements.

§120-17 – Permitted Uses in the R-100A District.

- Add Intent Section (residential and agricultural areas of the Town located in the more rural areas of the Town and along environmentally sensitive features. The intent of this district is to protect and preserve agriculture and agriculture related business and allow low density residential development in environmentally sensitive areas).
- Amend principal uses to allow R-90 (§ 120-13) type uses (presently allow R-90A type uses).
- Leave accessory uses as R-90A type.
- Add bulk requirements.

§120-18 – Permitted Uses in R-60A District.

- Amend name of district to “Residential – Neighborhood Business District” – R60NB.
- Add Intent Section (to provide areas within the Town for high-density residential uses and small scale non-retail businesses and offices).
- Add bulk requirements.

§120-19 – Permitted Uses in the C-1 District

- Add Intent Section (local commercial uses, <\_\_\_\_\_ 20,000 Ft.<sup>2</sup> buildings, not including nuisance uses).
- Amend Permitted Uses: Under 20,000 Ft.<sup>2</sup> building, list uses, remove residential uses except as accessory use (mixed use building), allow uses over 20,000 Ft.<sup>2</sup> by 25% by SUP, added restaurants (no drive through), shopping centers (more than one use per building) in buildings less than 20,000 Ft.<sup>2</sup>.
- Add bulk requirements.

§120-20 – Permitted Uses in the C-2 District

- Add Intent Section (larger scale commercial uses, up to 100,000 Ft.<sup>2</sup>).
- Amend permitted uses: remove residential uses, no mixed uses, automobile dependent along major highways, may require larger lots and buffers under 100,000 Ft.<sup>2</sup>, list all uses in C-1 (no restriction on enclosed buildings), didn't change other uses (other than removed MHP's).
- Add bulk requirements.

New §120-20A – Add New C-R (Commercial/Recreation) District

New §120-20B – Add New C-3 District

§120-21 & §120-22 – M-1 & M-2

- Add Intent Sections.

§120-23 – Uses Requiring Special Permit by T.B.

- Change introduction language (not allowable uses).
- Standards, process and limitations paragraphs stayed the same.
- Exceptions – Add section on grandfathered uses without SUP – expanding.
- Add new section referring to specific requirements (i.e. new or used motor vehicle sales on Pg. 12021).

§120-24 through §120-28 – Unchanged.

Article II A – Industrial Park Overlay Review District

- Unchanged.

Article II B – Gardenville Heritage Overlay – New Section

- Subheading of Union Road.

Article II C – Transit Road Overlay – New Section

Article II D – Town Center Overlay – New Section

- Subheadings of Union Road, Seneca Street.

Article III – Bulk Regulations

§120-29 – Eliminate table move to appropriate zoning sections. Remainder good.

§120-30 – Eliminate section – move to zoning district sections.

§120-31 – Eliminate section – move to zoning district sections.

§120-32 – Same.

§120-33 – Same.

§120-34 – Eliminate section – in zoning sections.

§120-35, §120-35.1, §120-36 – Same.

§120-37 – Same.

§120-38, §120-39 §120-40 – Same.

#### Article III A – Sign Regulations

- Some changes needed – not major (give samples from other communities).

#### Article III B – Telecommunications Facilities

- No changes.

#### Article III C – Home Occupations

§120-40.18 – Amend to allow in other R Districts?

- Remainder the same.

#### Article III D – Adult Uses

- No changes.

#### Article IV – Off Street Parking Regulations

- Minor changes needed.

#### Article V – Non-Conforming Use Regulations.

- Same – unless consider changing to allow only continuation or changing to conforming use (also limit to 25% expansion).

#### Article VI – Administration and Enforcement

- Building Inspector has asked for more power when work is done without permits or approvals. Suggest increased penalties (\$'s).



Article VII – Board of Appeals

- Same – no changes.

Article VIII – Amendments

- Same – except as follows:

§120-62 – (authorization of P.B. to use Cluster Development). Should have local regulations.

- Provide new Cluster Development Law for consideration.

Article IX – Definitions

- Some updating needed.

Other Zoning Additions:

- Add Site Plan Approval section.
- Add PUD (floating zone) District.

Zoning Map Amendments:

- Seneca Mall area (Commercial Zoning in appropriate areas).
- Area NW of Gardenville (New Zoning District).
- Transit Rd. modifications (Make Zoning more uniform).
- R-90A, R-75A and R-65A modifications (Not as many roads with this designation).
- Slade Ave./Ridge Rd./Op Rd./Larger Rd. modifications (Industrial to commercial).

Additional Zoning Issues (Priority 2): (For Future Consideration)

- Stream corridor overlay.
- Rural development guidelines.
- Create Industrial Area overlay for other Industrial areas of the Town.
- Rezoning of Buffalo airfield.

2. Miscellaneous Code Issues for Consideration

The following issues have been brought up for consideration in the Comprehensive Plan and the Zoning Code Amendments. Ideas for these issues are being presented for the Town's consideration, and will have to be addressed in future code amendments.

- a. Trucks in Residential Areas: Need to refine definition of trucks and provide an ordinance outlining where they are allowed, and how long they can be parked in the driveway or street.

- b. Boats and Trailers in Residential Areas: Addressed in Residential Zones under Accessory Uses. Presently, only allowed if in a garage or enclosed structure. This type of law is typically difficult to enforce. The Town should decide on how to enforce or amend this regulation.
- c. Recreation Vehicles and Unregistered Vehicles: Same as above (can put in same section of code).
- d. Location of Stacking of Firewood, Compost Piles, etc.: These issues are typically dealt with in a property maintenance law, and can be difficult to enforce. Town needs to consider changes to their Property Maintenance Law, if they deem these a problem.
- e. Screening of Construction Equipment: we are assuming that this has to do with the storage of construction equipment on commercial properties. This will be addressed in the overlays, which will require screening of outdoor storage. This is already addressed in your Automotive Use Area section of the Code.
- f. Location of Driveways to Lot Lines, Parking in Front or Side Yard (Residential): Recommend making a requirement that driveways be setback a minimum of 5' from the property line. As to parking in the front or side yard, these may be difficult to control. You can make some limitations on this, but will not be addressed in the zoning amendments.
- g. Setbacks: To be addressed generally in zoning districts and overlays.
- h. CO's on all Transfer of Property: Needs to be addressed in the building code. Not an issue for the zoning code amendments.
- i. Construction without Permit: Many Towns provide an increased fee for beginning construction without a permit (double or triple the application fee). This fee must be large enough to discourage this type of violation.
- j. Light and Noise Ordinances: Chapters 79 and 82 address light and noise issues. Provide additional examples of these ordinances to the Town. If you are going to add specifics for these ordinances, you must have the equipment to monitor it (noise and light meters). The overlays help to control some of these potential problems.
- k. Sign and Billboard Ordinances: The signage regulations should be updated, with new definitions and requirements. For billboards though, the Town should wait to see the results of recent court cases on this issue. At that time, the Town should update its regulations pertaining to billboards. The signage regulations should address temporary signs, and other types of signs. The overlays will also address signage.
- l. Location of Dumpsters and Areas to put snow: These issues will be addressed in the new site plan regulations and overlays.
- m. The subdivision regulations need updating and a sample is provided in Appendix E.
- n. Patio Homes: These should be defined and determined where they are to be located. Presently they probably would only be allowed in the multi-family district. A cluster development ordinance would also most probably allow these uses.
- o. Sidewalks: The subdivision regulations will reflect this issue (cannot force developers to construct sidewalks outside of the subdivision).

- p. Height of Residential Buildings: To be addressed in each residential zoning section (typically 2-1/2 stories or 35 feet for single family).
- q. Building Permit Requirements: Not being addressed by recommended updates – Building Code Issue.

## C. Proposed Zoning Amendments

This section includes actual amendments to the code. The first part includes the intent sections for all the zoning districts, and the format of the bulk regulations which are also to be added to each zoning district. The last part of this section includes new or amended zoning sections.

### 1. Intent Sections

*An intent section is being added in order to establish a purpose or objective for each district (or group of districts). This will facilitate determinations of the Town Board, Zoning Enforcement Officer, Zoning Board of Appeals and Planning Board, as well as provide the general public, a better understanding of the intended purposes and differences between districts. The following intent narratives should be inserted at the beginning of each grouping of district use regulations. The following also includes any other support modifications to these Zoning sections:*

#### Article II – Use Regulations

##### § 120-13. Permitted uses in the R-90, R-75 and R-65 Districts.

The intent of the R-90, R-75 and R-65 Residence Districts shall be as follows:

- To provide areas within the town for low-density single-family detached residential dwellings.
- To promote and encourage the general residential character of existing neighborhoods, protecting them from unreasonable adverse impacts.
- To provide areas for new and in-fill development that is compatible with the surrounding residential uses in use, scale and general style.
- To promote and facilitate residential cluster development where natural conditions and environmental constraints warrant.
- Provide for appropriate development and growth in accordance with the goals, objectives and vision expressed in the Comprehensive Plan.

##### § 120-14. Permitted uses in the R-90A, R-75A and R-65A Districts.

The intent of the R-90A, R-75A and R-65A Residence Districts shall be as follows:

- To provide areas within the town primarily for low-density single-family detached and two-family residential dwellings.
- To provide areas within Town that support home occupations and in-home professional offices that retain the general residential character of existing neighborhoods.
- To provide areas for new and in-fill development that is compatible with the surrounding residential uses in use, scale and general style protected from unreasonable adverse impacts.
- Provide for appropriate development and growth in accordance with the goals, objectives and vision expressed in the Comprehensive Plan.

#### A. Principal uses.

- (1) As permitted in § 120-13A. **Uses identified in § 120-13A as Principal uses shall also be allowed in this district as Permitted Principle uses.**

#### B. Accessory uses.

- (1) As permitted in § 120-13B except as hereinafter modified. **Uses identified in § 120-13B as Accessory uses shall also be permitted in this district as Accessory uses.**

§ 120-16. Permitted uses in the R-50 District.

The intent of the R-50 Residence District shall be as follows:

- To provide areas within the town primarily for low to medium-density single-family detached, two-family residential dwellings, and multi-family dwellings.
- To provide areas within Town that support home occupations and in-home professional offices that retain the general residential character of existing neighborhoods.
- To provide areas for new and in-fill development that is compatible with the surrounding residential uses in use, scale and general style protected from unreasonable adverse impacts.
- Provide for appropriate development and growth in accordance with the goals, objectives and vision expressed in the Comprehensive Plan.

§ 120-17. Permitted uses in the R-100A District.

The intent of the R-100A Residence District shall be as follows:

- To provide areas within Town where lower density semi-rural single-family detached and two-family residential dwellings can locate which would also accommodate agricultural related and other non-intensive low-density uses.
- To provide areas within Town that support home occupations and in-home professional offices that retain the general residential character of existing neighborhoods.
- To provide areas for new and in-fill development that is compatible with the surrounding residential uses in use, scale and general style protected from unreasonable adverse impacts.
- To promote and facilitate residential cluster development where natural conditions and environmental constraints warrant.
- To provide areas where outdoor recreation and active recreation facilities can locate without negatively impacting surrounding uses.
- Provide for appropriate development and growth in accordance with the goals, objectives and vision expressed in the Comprehensive Plan.

Under §120-17. Permitted uses in R-100A Districts.

A. Principal uses

Amend (1) to read "As permitted in §120-13A.

§ 120-18. Permitted uses in the R-60A Residence District.

The intent of the R-60A Residence District shall be as follows:

- To provide areas within the town primarily for low to medium-density single-family detached, two-family residential dwellings, and multi-family dwellings.
- To provide areas within Town that support home occupations and in-home professional offices that retain the general residential character of existing neighborhoods.
- To provide areas in Town where business and medical offices can be established within the context of the existing neighborhoods.

- To provide areas for new and in-fill development that is compatible with the surrounding residential uses in use, scale and general style protected from unreasonable adverse impacts.
- Provide for appropriate development and growth in accordance with the goals, objectives and vision expressed in the Comprehensive Plan.

§ 120-19. C-1 District.

The intent of the C-1 Commercial District shall be as follows:

- To provide areas within Town for the location of retail commercial and general business uses that serve areas of the Town and meet the needs for goods and services and general shopping needs of residents. These commercial uses shall be of a medium size (typically less than 20,000 ft<sup>2</sup>) and tend to be along some of the "busier" roads within the Town. The uses do not include businesses that would be considered nuisance uses that could impact nearby residents.

Other Amendments in the C-1 District (to be considered)

- B. Permitted principal uses (Restricted to less than 20,000 ft<sup>2</sup>).

\*List all of the uses, don't just reference R-60A (do not include residential uses).

Add (6) Restaurants-Sit Down (No drive thrus will be allowed).

Add the following uses by Special Permit authorized by the Town Board:

- (a) Allowable uses listed in this section that exceed the 20,000 ft<sup>2</sup> limitation by up to 25%.

Add under Accessory Uses

(6) Residential Uses (A mix of an allowable commercial use and a residential use).

Amend (1) Shops for the manufacture or processing of articles (excluding automotive related uses) incidental to.....

§ 120-20. C-2 District.

The intent of the C-2 Commercial District shall be as follows:

- To provide areas within Town for the location of large—scale (Up to 100,000 ft<sup>2</sup>) or intensive commercial and service establishments that support specialized goods or services for the entire Town or large areas of West Seneca. Allowed uses may require larger lots sizes or buffering from neighboring uses due to traffic, noise, odors or nature of the business.

§ 120-21. Permitted uses in the M-1 District.

The intent of the M-1 Manufacturing District shall be as follows:

- To provide areas within Town for the location of light manufacturing operations and laboratory facilities that due to the nature of the operation are not compatible or directly service the local residential neighborhood.

§ 120-22. Permitted uses in the M-2 District.

The intent of the M-2 Manufacturing District shall be as follows:

- To provide areas within Town for the location of heavier manufacturing and processing facilities where compatible facilities are located in a manner that minimizes the impact to the community from traffic, noise, odors or space requirements.

## 2. Bulk Regulations

For all of the existing Zoning District add the Bulk Regulations to the respective sections of the Code (§120-13, 14, 16, 17, 18, 19, 20, 21, 22) in the following format at the end of the existing section:

Format of Bulk Regulations

\*1. Lot area requirement:\_\_\_\_\_

\*2. Lot width requirement:\_\_\_\_\_

\*Refer to §120-29 for exceptions to these requirements.

3. \*Front yard requirement:\_\_\_\_\_

4. \*Rear yard requirement:\_\_\_\_\_

5. \*Side yard requirement (2 required): Min.\_\_\_\_\_ Total\_\_\_\_\_

### Other Principal Buildings

1. Front yard

2. rear yard

3. Side yard

\*See Section 120-32 for exceptions to these requirements.



3. New or Amended Zoning Sections

The following are new zoning sections or amended zoning sections that should be added to the zoning code. These sections are as follows:

- New recreational – tourism district
- New C-3 zoning district
- New Gardenville Heritage Overlay
- Amended Special Permit section
- New Transit Road Overlay
- New Town Center Overlay
- New cluster development regulations
- New site plan review regulations
- New Planned Unit Development (PUD) district

## **Proposed Recreational-Tourism District**

### **Purpose and Intent**

The purpose and intent of the Recreational-Tourism District is as follows:

- A. To provide for uses that will allow redevelopment while striving to retain the rural character of the area;
- B. To encourage continued agricultural uses where economically feasible; and
- C. To encourage the development of recreational and tourism related businesses that will be compatible with other uses in the district and support the adjacent Gardenville Heritage area.

### **Permitted Uses and Restrictions**

#### A. Principal Uses:

1. Agriculture and farming
2. Agricultural-related businesses
3. Tourism-related businesses, such as hotels, motels, sit-down restaurants (no drive-throughs)
4. Commercial recreational uses, such as outdoor sports facilities, with the provision that no motorized vehicles (e.g. race tracks, go-kart tracks) shall be allowed.
5. Limited tourism or agricultural related retail uses (sale of agricultural products, gift shops, craft shops, etc.).

#### B. Accessory uses:

1. Customary accessory structures incidental to primary permitted or specially permitted uses are allowed, subject to site plan approval.
2. Residential units accessory to the primary use for use by employees or caretakers
3. Farm stand

### **Bulk requirements**

- Acreage – None, as long as it meets the other bulk requirements listed for this district (i.e. parking, setbacks, etc.).
- Front Yard: 50 feet.
- Side Yard: 30 feet or height of building or 50 feet if adjoining a residential use.
- Rear Yard: Same as side yard.

### **Parking Requirements (see Article IV for numbers of spaces)**

- Parking should be at the side or rear of the main structure.
- Parking lots should contain landscaped islands to improve the appearance of the area.
- Parking lots should be connected to any sidewalk or trail system in the area.

**Signage (see Article III A)**

- Additional Signage Requirements: The Planning Board may ask for the inclusion of directional signs (way-finding) for the other important features in the area.
- Signs should not be pylons, but be ground mounted signs that utilize natural materials (stone, wood, etc.). An Agrarian or rural theme should be considered.

**Landscaping**

- Trees shall be planted 30 feet on center along the frontage of the proposed project.
- A landscape plan shall be presented with all applications in this district.

## **Proposed C-3 Zoning District**

### **Purpose and Intent**

To provide a zoning district for large-scale commercial uses that tend to be very automobile dependent. These areas are regional commercial activity centers that draw people from other communities through the Interstate Highway System (Route 90, Route 400, Route 219). These areas are very targeted and require tight design guidelines to minimize problems (traffic, noise, aesthetics, etc.).

### **Permitted Principal Uses**

(1) All permitted uses in the C-1 and C-2 Districts (with no limitation on size) as follows:

- List uses.

(2) All residential uses are specifically excluded (not allowed in this district).

### **Use Permitted by Special Permit Authorized by the Town Board**

Same as §120-20 (8) (c)

### **Accessory Uses**

(1) Customary accessory use incidental to a permitted principal use, including applicable accessory uses permitted and as regulated on the C-2 District (§120-20 B).

Bulk requirements (need to be decided upon. Probably will be performance related.)

## **Proposed Gardenville Heritage Overlay**

### **Purpose and Intent.**

The Town of West Seneca, through its Comprehensive Plan, has established the Gardenville Heritage area. The purpose of this overlay is to maintain and improve upon the characteristics of the heritage components of the Gardenville hamlet and the Burchfield Arts and Nature Center. The intent of these regulations is to guide development and redevelopment throughout design guidelines to protect these features and maintain the character of the area.

### **Boundary description.**

The overlay district shall encompass the area generally bounded by North Avenue to the north, Weigand Street to the east, Seneca Creek Road and South Avenue to the south, and West Avenue directly north to North Avenue at Clinton Road to the west. See Town Map for exact location of this district.

### **General Objectives and Purpose**

1. Protect the historic and architectural context of the Gardenville hamlet.
2. Connect the Burchfield Center to the surrounding community, focusing on walkability and non-automotive connections.
3. Improve automotive transportation features along the Union Street and Clinton Street corridors.
4. Stress improved design standards: landscaping, architecture, signage, site layout, etc.
5. Focus the area on redevelopment and the improvement of features in the area.

### **Permitted Uses and Restrictions.**

The uses permitted in the Gardenville Heritage Overlay shall be the same as the underlying zoning districts, except as follows:

1. The removal of any structure identified in this area as important to the Town, will require the project to receive a Special Use Permit from the Town Board.
2. Tourism related uses not specifically permitted shall be allowed by Special Use Permit.

### **Accessory uses.**

Same as the underlying zoning.

**Site design standards and requirements.**

**A. General Requirements**

1. All projects requiring site plan approval will require the submittal of proposed elevations, floor plans and perspective drawings at the discretion of the Planning Board.
2. A landscaping plan shall be required for all projects requiring site plan approval.
3. Refuse storage (dumpsters) shall be screened from the road.
4. No outdoor speakers or other noise producing devices shall be permitted.
5. Redevelopment projects, requiring site plan approval, shall include architectural plans that shall meet all architectural standards described in this overlay.
6. Incorporation and / or protection of any existing or proposed trails, paths, or sidewalks in all development plans.

**B. Union Road (Projects fronting Union Road)**

1. Buildings that are stylized in an attempt to use the building itself as advertising shall be discouraged, particularly where the proposed architecture is the prototypical corporate or franchise design style.
2. Architectural design must stress a hamlet image, being residential in nature (no flat roofs, windows and doors facing the road, etc.). Where a new structure will be adjacent to a structure identified as important by the Town, the new structure must compliment the architecture of that structure.
3. Signage shall be unobtrusive and typically involve minimal building signage and only a small ground sign. This ground sign will not be greater than 8 feet in height, will not be internally lit, and will include natural materials.
4. Connections to existing sidewalks or paths shall be required.
5. Landscaping shall focus on trees and the preservation of existing trees on site.
6. Parking shall be located at the side or rear of the building and screened from the road by landscape features.
7. Large parking lots (greater than 20 cars) shall incorporate landscaped islands into the design.

**C. Other General Requirements (applying to all areas)**

1. This is an area of mixed uses, and attention should be given to the compatibility of adjoining developments when reviewing project proposals.
2. To promote more efficient traffic flow and traffic safety, every effort shall be made to provide shared means of ingress and egress to developed and developing properties. Where applicable, reference should be made to the Town's or the NYS Department of Transportation Access Management Guidelines and regulations.
3. For all properties / projects requiring site plan or subdivision approval, attention must be given to the existing character of the area and the objectives of this overlay district. Architecture, landscaping, signage, lighting, and site layout should compliment surrounding land uses to improve the character and provide for a positive image of the area.
4. Wayfinding signage and signage concerning historical or cultural significance shall be encouraged and allowed in this district.

The Planning Board may waive or modify any requirement under this section but must not diminish the intent and purpose of the overlay district.

## Amendment to Special Permit Section

### § 120-23. Uses requiring special permit by Town Board.

All uses listed as subject to special permit authorized by the Town Board are declared to possess characteristics of such unique and special form that each such use shall be considered as an individual case. Such uses shall be deemed to be not allowed in their respective districts unless shown to meet the requirements of this section in addition to other requirements of this chapter. Application for special permits shall be obtained from the Town Clerk.

#### A. Standards applicable to special uses.

1. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site in respect to streets giving access thereto shall be such that such use will be in harmony with the orderly development of the district in which it is located.
2. Screening or other protective measures shall be adequate to protect any adjacent properties in any R District from objectionable aspects of any such special use.
3. Off-street parking areas shall be of adequate size for the particular use, and access drives shall be laid out so as to achieve maximum safety.
4. The Town Board may prescribe any conditions that it deems to be necessary or desirable and shall require a site plan of the proposed development showing pertinent information to aid it in making a determination on the application.  
[Amended 8-17-87]
5. The proposed use will not create a hazard to health, safety, general welfare or otherwise be detrimental to the public convenience.

#### B. Public Hearing.

1. Before authorizing a special permit, the Town Board shall give public notice and hold a public hearing on the application for such special permit in the same manner as required by law for amendments to a zoning ordinance. In case of a protest against such special permit by the owners of twenty percent (20%) or more of the area of the land immediately adjacent to the land involved and extending one hundred (100) feet therefrom or of the land directly opposite thereto and land extending one hundred (100) feet from the street frontage of such opposite land, such special permit shall not be authorized except by the favorable vote of at least four (4) members of the Town Board.
2. Prior to such public hearing, the application shall be referred to the Town Planning Board for report and recommendation. In the event that the Planning Board shall fail to submit a report within forty-five (45) days after said referral, the Town Board shall hold such public hearing at the earliest possible date.

#### C. Limitations. A special permit shall be deemed to authorize only the particular use or uses specified in the permit and shall apply only to the area specified in the permit. A special permit shall expire if the special use or uses shall cease for more than one (1) year for any reason.

#### D. Exceptions. The requirement for a special permit shall not apply to any use lawfully existing on the effective date of this chapter or, in the case of a special permit for a cemetery, to land owned by a cemetery corporation or religious organization and which, on the effective date of this chapter, was dedicated for cemetery purposes.

- E. Expansion of a use requiring a special permit. (that is “grandfathered” as stated in this paragraph) shall require the obtaining of the required special permit. The definition of expansion as it pertains in this paragraph shall mean the increasing of the square footage of the building or the area occupied by the use (building, parking, storage, etc) by more than twenty-five percent (25%).
- F. Specific Requirements. Particular special permit uses have specific requirements that must be met in order to obtain a special permit. It is up to the applicant to prove to the Town Board that these requirements are to be met along with those listed in paragraph A of this section.
  - 1. New or used motor vehicle sales, service or rental, public garage or gasoline service station.
    - a. subject to §120-20A.8(C)
    - b. subject to § 120-26
  - 2. Group dwellings and multiple-family dwellings
    - a. Provisions for active or passive recreation.
    - b. Pedestrian accessibility including sidewalks and pathways.
    - c. Screening of parking lots from any adjoining residential uses.
  - 3. Bed and Breakfast establishments and tourist homes.
    - a. The applicant shall be the owner and full-time resident of the premises, and the bed-and-breakfast or tourist home shall be subordinate and incidental to the residential use of the structure.
    - b. All guestrooms shall be contained within the principal structure and limited to the first and second floors of said structure.
    - c. No external modifications of the structure shall be allowed in conjunction with the creation of a bed –and-breakfast or tourist home use, and no visible evidence of the conduct of the establishment other than the posting of one sign.
    - d. The architectural integrity and arrangement of interior spaces must be maintained and the number of guestrooms shall not be increased, except as required to meet health, safety and sanitation requirements.
    - e. Accommodations shall not exceed a maximum of four guestrooms.
    - f. The length of stay at a bed-and-breakfast or tourist home establishment shall not exceed seven days.
    - g. Guestroom living quarters shall not constitute a separate dwelling unit and shall not be leased or rented as such.
    - h. The serving of meals at the premises shall be limited to breakfast for lodgers only; no cooking or cooking facilities shall be permitted in individual guestrooms.
    - i. Smoke detectors shall be installed in each guestroom and in adjacent hallways and corridors. All emergency exits shall be obvious and clearly identified.
    - j. Outside activities shall not be permitted by guests where it will create a nuisance or in any way alter the character of the neighborhood.
    - k. All off-street parking shall be regulated in accordance with the town code. Parking areas for four or more vehicles may require adequate screening from adjacent residential users, if deemed necessary by the town.



- l. The special use permit shall be valid for a period not to exceed two years and shall be renewed for a bi-annual fee of \$200. This permit may be revoked at any time by the Building Inspector upon noncompliance with the conditions and limitations set forth in this section or in the permit itself.
- m. A certificate of occupancy shall be issued by the Building Inspector only after it has been determined that the structure meets the New York State Uniform Building and Fire Prevention Code, and after the special permit has been issued by the Town Board.

## **Proposed Transit Road Overlay**

### **Purpose and Intent**

The Transit Road Corridor in the Town of West Seneca from its intersection with Route 400 north to the town line is characterized predominately by business and commercial uses that provide important services to the residents of the Town and the region. It is also a major traffic thoroughfare. In accordance with the recommendations and policies of the West Seneca Comprehensive Plan, this overlay district is designed to better manage and accommodate commercial growth along the Transit Road corridor through the implementation of guidelines to regulate traffic, roadway access, aesthetics and development patterns. The intent is to provide a balance between the needs of the traveling public with the needs of the adjoining land uses while ensuring high quality development and improved traffic flow.

The Transit Road Overlay district regulations will supplement the underlying zoning requirements. These overlay requirements are to be used in conjunction with the zoning regulations and other performance regulations in the code.

### **Boundary Description**

This overlay district shall encompass the Transit Road corridor extending from border between the Town of West Seneca and the Town of Cheektowaga at the northern end to the intersection with Route 400 at the southern end. The overlay district shall include all properties having frontage on Transit Road in the Town of West Seneca, including corner lots with primary frontage on intersecting roadways.

### **General Objectives**

The special regulations contained herein, which govern all proposed development and redevelopment within the boundaries of the Transit Road Overlay district, shall be founded upon the following objectives.

1. Encourage use of accepted traffic access management standards, such as controlled access and interconnected parking in order to facilitate automotive traffic flow and improve pedestrian safety.
2. Encourage the location of parking at the side or rear of buildings, thus making the structure the focal point of the site, increasing the visual appeal of the property and facilitating pedestrian access to the property.
3. Provide for a positive image by enhancing the appearance and aesthetics of the corridor, by requiring appropriate façade designs and building materials, architectural standards and landscaping guidelines.
4. Buffer adjacent residential properties from more intensive commercial uses located along the corridor. (Do not encourage large retail uses along this corridor.)

## Permitted Uses and Restrictions

The uses permitted in the Transit Road Overlay District shall be the same allowable uses as the underlying zoning districts. While all uses are permitted, no use shall be allowed that is over 100,000 square feet in size.

## Accessory Uses

The accessory uses permitted in the Transit Road Overlay District shall be the same as the accessory uses permitted in the underlying zoning districts.

## Site Design Standards and Requirements

### A. Access Management Standards

- (1) New driveways onto Transit Road are discouraged, and the number of curb cuts onto Transit Road shall be minimized. Common drives, access through side streets and other means of minimizing entrances onto Transit Road shall be encouraged. (Access to predominantly residential streets is not encouraged.)
- (2) The locations of drives should be sited to maximize the distance between driveways. Curb cuts and driveway spacing for new development and redevelopment will be evaluated on a case-by-case basis to reduce conflicts and ensure traffic safety and efficiency. Every effort shall be made to comply with minimum driveway spacing standards established by the State.
- (3) To promote more efficient traffic flow and traffic safety, shared driveways to developed and developing properties are strongly encouraged. Development sites under the same ownership or being treated as a single site shall provide a coordinated access and circulation plan. Where applicable, reference should be made to the New York State Department of Transportation Access Management Guidelines and regulations.
- (4) Driveways onto Transit Road shall be clearly delineated. Areas of open, uncurbed pavement directly fronting onto public roads shall not be allowed.
- (5) Wherever practicable, cross access driveways (interconnected parking between adjacent commercial parcels) is strongly advised. At a minimum, site plans shall allow for potential future cross connection easements between adjacent properties.
- (6) Corner properties shall require stricter evaluation of traffic patterns, due to the potential for conflict areas between the need for access and safe intersection design. Driveways for corner properties shall be placed as far as possible from the intersection, and cross access to adjoining properties is encouraged to the greatest extent possible.

*(NOTE: New York State standards suggest a minimum of 100 feet of clearance for partial access (right turns only) or 220 feet for full access allowing all directional movements.)*

- (7) Projects shall accommodate pedestrian traffic. Parking should be located at the sides or rear of buildings where possible. Site plans should address pedestrian access, including the location of walkways and crosswalks.

## B. Design Standards

- (1) Parking shall be encouraged to be at the side or rear of the building, and in all cases should be set back from the road a minimum of 35 feet. This 35 foot setback area should be landscaped and help to screen the parking area from the road.
- (2) Landscaping, parking, setback, signage and lighting standards shall be implemented to improve the visual quality of the area and buffer development and redevelopment from adjoining uses. Emphasis should be placed on preserving existing vegetation and important natural resources to the extent feasible in site design.
- (3) Refuse storage (dumpster) locations shall be depicted on the plans and shall not be located near or adjacent to Transit Road, and shall not be visible from the road. Where this is not feasible, such facilities shall be completely screened by opaque wooden, brick or masonry fences.
- (4) No outdoor speakers or other noise-producing devices shall be permitted.
- (5) All signage and lighting fixtures shall be of an appropriate size and scale, and aesthetically designed, so as to improve the overall quality of the area. No signage shall be permitted on any lot unless it is either attached to a building or placed in a location which has been approved through the site plan process. Signs attached to the sides of buildings may not project more than five feet above the roof. No roof signs, billboards or portable signs shall be allowed in the Overlay district.
- (6) Screening shall be provided where commercial properties adjoin residential districts. Screening may be additional landscaping, berms, fencing or increased setbacks.
- (7) Architectural designs should complement surrounding land uses and provide for an improved and positive image of the area. Appropriate façade designs that complement and improve the character of the area shall be required.
- (8) Architectural renderings, photographs or drawings of proposed elevations shall be submitted at the time of site plan application to illustrate the appearance of the building from the road. In addition, information shall be provided on proposed façade treatments and building materials.
- (9) General architectural guidelines include:
  - (a) Diversity of architectural design, variation in building footprint, façade textures and treatments shall be encouraged to create a visually interesting design.
  - (b) Buildings that are stylized in an attempt to use the building itself as advertising shall be discouraged, particularly where the proposed architecture is the prototypical corporate or franchise design style.
  - (c) The visibility of rooftop equipment should be minimized by grouping this equipment away from the public view or by screening.
  - (d) The sides of all buildings shall have an equivalent level of quality of materials, detailing and window placement. Abrupt ending of architectural details shall be avoided with no radical changes in details, features or materials.

- (e) Buildings with long, uninterrupted blank walls shall be avoided, and shall not be permitted on facades that are visible from Transit Road.
- (f) Large buildings should have height variations to give the appearance of distinct elements.
- (g) Building designs shall incorporate traditional building materials such as masonry, stone, brick, finish grade wood (such as clapboard or shingle) and other natural-appearing materials. All buildings shall have durable exterior finish materials that cover all exterior walls.
- (h) Facades of buildings facing public open space or pedestrian/bicycle pathways shall include design features such as building entries, windows, arcades, overhangs, canopies and related elements that create visual interest.

### **C. Landscaping Standards**

- (1) A complete landscape plan, including types of vegetation must be submitted with the site plan.
- (2) Paved areas of parking lots with more than 20 spaces shall include landscaped medians or islands
- (3) All existing trees larger than six inches in diameter as measured three feet above grade, groups of trees and other natural vegetation shall be incorporated into the landscape plan to provide natural buffering from adjacent properties. These features shall be preserved to the greatest extent feasible, especially along lot lines.
- (4) For all areas, deciduous trees that are planted shall have a minimum caliper of 3 inches, measured two feet above grade. All planted coniferous trees shall have a minimum height of six feet above finished grade.
- (5) All required vegetative plantings shall be maintained in a healthy and productive condition and shall be routinely examined. Plant materials shall be replaced, as necessary or as directed by the Town. The Town Building Department shall enforce the upkeep of required landscaped areas through periodic inspections in response to complaints.

The Planning Board may waive or modify any requirement under this section, but must not diminish the intent and general objectives of the Transit Road Overlay District.

## **Proposed Town Center Overlay**

### **Purpose and Intent**

The Town of West Seneca, through its Comprehensive Plan, identified an area of the Town that the Town would like to establish as its "Town Center". This Town Center will be a focal point of the community having many of the characteristics of a village, including a central Business District and dense residential areas. In establishing this overlay, the town wishes to control development and redevelopment to protect and build upon the important features of this area, improve its aesthetics and create more of the characteristics of a Town Center / Village atmosphere.

The Town Center overlay district regulations will supplement the underlying zoning district requirements. These overlay requirements are to be used in conjunction with the zoning regulations and other performance regulations in the code.

### **Boundary Description**

This overlay district shall in general encompass the area bordered by Route 400 on the north side, the senior center and school properties to the east, Seneca Street and Cazenovia Creek to the south, and Cazenovia Creek, Seneca Street and the old railroad R.O.W. to the west. See Town map for exact location of this district.

### **General Objectives**

The special regulations contained herein, which govern all proposed development and redevelopment within the boundaries of the Town Center Overlay district, shall be founded upon the following objectives:

1. Creating the characteristics of a village-type area.
2. Protect and expand upon the characteristics of the Ebenezer hamlet.
3. Focus commercial development and redevelopment on Union Road and Seneca Street west of Union Road.
4. Improve the aesthetics and visual quality of the Union Road and Seneca Street corridors.
5. To promote more efficient traffic flow and traffic safety along the Union Road corridor.
6. Improve the "walkability" of the area by adding and improving connective features such as sidewalks, paths and trails. Connect the commercial areas, residential areas, public facilities and schools.
7. Create an identity to the area.
8. Encourage creative mixed-use development in the proper areas.
9. Create an atmosphere to encourage private investment in the area, and focus on public investment.

### **Permitted Uses and Restrictions**

The uses permitted in the Town Center Overlay area shall be the same as the underlying zoning districts.

### **Accessory Uses**

Same as the underlying zoning.

### **Site Design Standards and Requirements**

#### **A. General Requirements**

1. All projects requiring site plan approval will require the submittal of proposed elevations, floor plans and perspective drawings at the discretion of the Planning Board.
2. All site plan applications will include the submittal of a detailed landscaping plan. Landscaping shall be focused on trees.
3. Refuse storage (dumpsters) shall not be located near or adjacent to residential properties. Locations must be shown on all site plan submittals.
4. No outdoor speakers or other noise providing devices shall be permitted.
5. Redevelopment projects, requiring site plan approval, shall include plans for renovating the façade and shall meet all architectural standards described in this overlay.
6. Pedestrian accessibility shall be the focus of all plans.

#### **B. Union Road and Seneca Street**

1. Pedestrian access to and from the site must be included in the design.
2. A landscaping plan must be submitted that compliments the town's streetscape plan if available for the proposed project site.
3. Signage should compliment the landscaping and streetscape plan and shall not include pylon signs or any form of flashing light. Signage shall be at ground level, not exceed 12 feet in height, contain natural components such as brick, wood or stone, and meet other Town signage requirements.
4. Projects should be "street and pedestrian friendly". Sites should accommodate parking at the sides or rear of the building.
5. Blank walls and other dead or dull spaces at the street level shall be avoided. Visually interesting activities at the sidewalk edge shall be maintained and /or established to engage pedestrian interest.
6. Building frontages should be active, with large non-reflective, minimally tinted window openings at ground level.
7. The rear of buildings (existing and proposed) shall be enhanced, where appropriate, to improve public access from parking lots and to improve views to surrounding residential properties.
8. Projects must follow the Town's access management standards or guidelines which encourage minimizing curb cuts, maximizing distances between driveways and promoting standard driveways and cross access (interconnection where possible).

The Planning Board may waive or modify any requirement under this section, but must not diminish the intent and general objectives of the overlay district.

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Article

**§ 200-58. Cluster Development**

Cluster Development in the Town of West Seneca shall require the approval of the Town, Planning Board, pursuant to the administration of Chapter \_\_\_\_ of the Subdivision Regulations of the Town of West Seneca and provisions of Section 278 of Town Law. Cluster development shall not be considered an allowable use unless it is determined by the Planning Board that it will achieve the intent of these regulations. The Planning Board at its discretion may direct an applicant to pursue cluster development, if in the judgement of that Board, its application would benefit the Town. For example, if a standard subdivision is proposed in an area containing important lands (e.g., greenspace, woodlands, significant views, prime farmland, etc.), the Town may direct an applicant to pursue a cluster to preserve as much of these features as possible. The Planning Board may also, upon its review, find a proposed cluster development plan not in accordance with the purposes or requirements of this article.

**A. Intent**

The purpose of these cluster development regulations is to enable and encourage flexibility of design and development of land in such a manner as to:

- (1.) preserve open space, farmland, and protect important natural resources and sensitive lands;
- (2.) promote the most appropriate use of land;
- (3.) allow for a variety of lot sizes without increasing the overall density as permitted by the underlying zoning;
- (4.) allow for residential development that is in harmony with the rural character and scenic quality of the Town;
- (5.) encourage creativity and adaptability in the layout of residential lots; and
- (6.) facilitate the adequate and economical provision of streets and utilities.

**§ 200-59. Regulations governing cluster development**

Cluster development may include single-family dwellings in all allowable zoning districts or multi-family dwellings in those districts allowing multi-family housing, in accordance with the following regulations and standards.

The area proposed for cluster development shall be in single ownership or under unified control throughout the review process, inclusive of the filing of the map cover in the Erie County Clerk's office.

Unless otherwise provided in this chapter, the following regulations shall apply to all cluster development:



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- A. Permitted districts. Cluster development shall only be considered within the R-50, R-65, R-75, R-90 and R-100A zoning districts at the discretion of the Planning Board.
- B. Minimum development area. Cluster development shall apply to any subdivision of not less than five (5) acres in land area.
- C. Service by public utilities. All cluster development shall be serviced by public systems for water supply and sanitary sewerage.
- D. Minimum lot size. The required minimum lot area for single-family detached dwelling units may be reduced to no less than 10,000 square feet in an R-100A district, 6,000 square feet in an R-65, R-75 and R-90 district, and 5,000 square feet for the R-50 district, provided that any and all such area that is not designed to serve as residential areas, roads or for other public purposes, be set aside and restricted on the subdivision plat for use as common open space, parkland and /or recreational purposes of an active and/or passive nature lot size. Requirements for additional dwelling units shall be reduced by 25%.
- E. Lot width requirements can be reduced to 75 feet in the R-100A and R-90 districts, 50 feet in the R-65 and R-75 districts, and remains 50 feet in the R-50 district.
- F. Minimum yards.
  - (1) Front yard: 25 feet. To accomplish reduced front yard requirements, the Applicant must illustrate how utilities and off-street parking will be accomplished. Front load garages will not, in general, be acceptable.
  - (2) Side yards: The minimum side yard width shall be 7.5 feet.
  - (3) Rear yard: No rear yard shall have a depth of less than 20 feet.
- G. Maximum height of buildings shall not exceed 2 stories or 30 feet for single-family units and 2 ½ stories or 35 feet for multi-family units.
- H. Maximum density. The permitted number of dwelling units shall in no case exceed the number of units that could be permitted, at the discretion of the Planning Board, if the land were subdivided into lots conforming to the minimum lot size and density requirements of this chapter, applicable to the district or districts in which the land is situated and conforming to all other applicable requirements. An aerial photograph may be required to assist in the density determination. However, prior to determining of the number of dwelling units and/or building lots, the parcel to be developed shall have the following identified:
  - (1.) Lands utilized by public utilities or structures or recorded easements of rights-of-way.
  - (2.) Water bodies, marsh areas, designated wetlands, dense areas of mature woodlands, gorges, rock outcroppings, caverns, poorly drained, alluvial, and unstable soils and floodplains.
  - (3.) Any other areas deemed unfavorable (unusable/unbuildable) by the Planning Board because of topographic, geologic or hydrological characteristics and slopes in excess of 15%.

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After these characteristics of the site are identified, the Applicant shall provide a layout conforming to the existing zoning of the site. The number of allowable units for any cluster development will be based on the number of approvable units on this conforming zoning layout.

Once the approved number of units is determined, the Applicant shall provide a cluster development incorporating the provisions of this chapter, and the following requirements:

- 40% of the property must be maintained as open space, greenspace or recreation. These lands cannot include those land deemed unbuildable by the Town. This land required for open space shall serve a purpose such as preserving important features, important Ag lands, providing passive recreational opportunities, preserving views, etc. It is not the intent of these lands to be small unutilized areas at the rear of lots.
- I. Where feasible, natural features such as streams, rock outcrops, marshlands, topsoil, trees and shrubs shall be preserved and incorporated into the landscaping of the development.
- J. Where adequate surface drainage is not possible by grading alone, a supplementary drainage system approved by the Town of West Seneca shall be required. On-site management of surface drainage shall be planned so that there shall be no greater runoff during and following construction than prior to commencement of construction. Lawn and yard areas shall be adequately drained to permit normal use and maintenance.
- K. Any recreation/greenspace fee required by the Town shall still be applicable. Open space, greenspace or recreation areas in the cluster development area shall be privately owned. The Planning Board may recommend the dedication of land to the Town of West Seneca, in lieu of this fee, if the subdivision is located in an area where a proposed park, playground or other recreation or public site is shown on the Comprehensive Plan.
- L. Common open space and recreation lands shall be deeded to a Homeowners' Association that will be responsible for the continued ownership; use and maintenance of said lands. Such deeds shall be reviewed by the Town Attorney and approved by the Planning Board.
- M. All new roads and utilities being created for a condominium ownership development shall be owned and maintained by the Condominium Association.

## Site Plan Review

### A. Purpose and Intent

It is the intention of this article to ensure the efficient use of land and that development take into consideration the public health, safety, welfare, and the comfort and convenience of the public in general, and of the residents of the proposed development and of the neighborhood around such development. This will be accomplished through site planning that includes standards in the design, layout, landscaping and construction of development.

### B. Applicability

(1) No development shall occur within the Town of West Seneca unless in accordance with the provisions of this article. No Building Permit, Variance, Special Use Permit or Certificate of Occupancy shall be issued until all the requirements of this article have been satisfied and the site plan has been approved. Exceptions to site plan requirements are as follows:

- (a) Single-family and two-family residential buildings on approved lots.
- (b) Permitted accessory residential structures and uses, unless required elsewhere.

### C. Authority

By authority of the resolution adopted by the Town Board pursuant to the provisions of Town Law, the West Seneca Planning Board does hereby exercise the power and authority to review and approve or disapprove plans that require site plan approval under this section of the Law (except as provided in Section D. of this article).

### D. Site Plan Waiver

(1) A site plan waiver may be issued if a proposed project is minor in nature to the extent that a full site plan review by the Planning Board may not be necessary. These minor projects are determined to be applicable for a site plan waiver by a Site Plan Review Committee consisting of the Building Inspector, the Planning Board chairman, and a representative from the Engineering and Planning Dept., if applicable. Criteria for these waivers are as follows (at the discretion of the Committee):

- (a) The project is an addition to an existing structure of less than ~1,000 square feet or which represents less than 10% of the existing structure.
- (b) A change in use that consists of a similar use to the approved use in the structure and does not require additional parking.
- (c) An accessory building to an approved use that is not visible from the road or adjoining residential uses.
- (d) Such other minor changes to an approved site plan as determined by the Site Plan Waiver Committee.

(2) In certain cases, the preparation of a site plan application may be deemed necessary to meet the requirements of a site plan waiver process. It may be determined that the proposed project needs formal site plan approval from the Planning Board. This may be required for projects located in a Zoning Overlay District.

- (3) The Site Plan Waiver Committee, in making their decision, may include conditions that must be met for the issuance of the building permit. All decisions by this committee shall be made in writing and on the appropriate Town form.
- (4) Determinations and approval conditions for a Site Plan Waiver may only be appealed by the applicant by appearing before the Planning Board under a formal site plan application.

E. Procedure (Site Plan Approval)

- (1) Where site plan review is determined to be required, the enforcement officer of this chapter shall refer the application, site plan and supporting materials to the Town Planning Board.
- (2) At this time of determination, the applicant may decide to proceed with formal site plan review or to proceed with a sketch plan application.
- (3) Sketch Plan

All applicants for site plan approval may submit a sketch plan for Planning Board review. Utilizing a sketch plan application provided by the Town, the applicant shall supply all of the Town's requirements for a sketch plan to the building inspector's office (or as directed by the Town) at least ten days prior to the scheduled meeting of the Planning Board.

The Planning Board will review the overall design and layout based against the intent and requirements of this code. The Planning Board will informally advise the applicant of potential flaws in the submission. The applicant will be required to make the decision as to whether to submit an amended site plan back to the Planning Board or make formal site plan application.

- (4) Pre-submittal Conference

It is recommended, but not required, that the applicant have a pre-submittal meeting with Town representatives prior to submitting a site plan application (especially for those projects not undergoing a sketch plan review). This pre-submittal meeting will allow the applicant an opportunity to review the submittal requirements to ensure that the application is complete and addresses any problem areas.

- (5) Site Plan

An applicant shall prepare a formal site plan in accordance with this article and the site plan application checklist provided by the Town. This application has been created by the Town to meet the requirements of this article and may be amended from time to time.

- (a) The site plan shall be prepared by an architect, landscape architect, engineer or surveyor, licensed in the State of New York and certified with their signature and seal.

- (b) The application shall be submitted at least ten days prior to the next scheduled Planning Board meeting. The application shall be submitted to the building inspector's office and the building inspector (or designee) shall determine its completeness. If complete, the site plan shall be placed on the next Planning Board agenda.
- (c) The building inspector shall coordinate the review of this application with the appropriate town officials (town engineer, highway superintendent, etc.) and other regulatory agencies (NYSDEC, ECDEP, etc.).
- (d) The Planning Board shall act to approve, approve with conditions (see below), or disapprove any such site plan within 62 days after the day the application is received (subject to completion of the SEQR process). The time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and the Planning Board.
- (e) Amendments to a site plan shall be acted upon in the same manner as the approval of the original plan.
- (f) Waiver of required information. Upon findings by the Planning Board that, due to special conditions peculiar to a site, certain of the information normally required as part of the site plan is inappropriate or unnecessary or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the Board may vary or waive the provision of such information, provided that such variance or waiver will not have detrimental effects on the public health, safety or general welfare or have the effect of nullifying the intent and purpose of the site plan submission, Comprehensive Plan or this chapter.
- (g) Application for building permit. Within one year of the date of site approval by the Planning Board, the applicant shall apply for a building permit or the approval of the site plan shall expire. However, the Planning Board may extend the time for application for a building permit if in its opinion such action is warranted by the particular circumstances thereof for a period not to exceed one additional year.
- (h) Unless work is commenced and diligently prosecuted within one year, or such time expressly stated by the Planning Board at the date of granting approval, said approval shall become null and void.

#### F. Special Conditions

The Planning Board may impose special conditions or modifications limiting the use or occupancy of the proposed land and development consistent with the intent and purposes of this law. Any conditions so imposed shall become a part of the site plan approval and must be satisfied prior to the issuance of any permits for development. No building or other development permit shall be issued for property that is subject to a site plan except in conformity with the approved plan for that site. The Planning Board approval or denial and any conditions thereto shall be guided by the following general standards for site development:

- (1) Conformance with this Law, adopted Town development plans, an approved Development Plan that includes the subject site, if one exists, and all other applicable laws.

- (2) Compatibility of the proposed development with the natural features of the land and the environmental attributes of the site.
- (3) The general layout and design of buildings, lighting, signage, open space and development features consistent with reasonable planning principles.
- (4) The location and design of vehicular entrances/exits, including emergency access and fire lanes, in relation to the street system, traffic circulation and control within the site, and coordination of access points and circulation with adjoining properties.
- (5) The provision and protection of pedestrian movement on the site and coordination or pedestrian movement with adjoining properties and the street system.
- (6) The location and adequacy of parking, loading and stacking areas including the provision of opportunities for handicapped parking.
- (7) Provisions of landscaping, screening and buffers to compliment development and protect adjacent uses from unsightliness, noise, glare and other nuisances. Such elements shall also be used to promote the availability of green space in non-residential development and recreation space in residential development to avoid a continuous paved or built environment.
- (8) Adequate provision of drainage and storm water management facilities.
- (9) Adequacy of sewer and water facilities, fire protection and conformance with Town regulations for the provision and construction of those services.
- (10) The concurrence of Town agencies, New York State Department of Transportation, New York State Department of Environmental Conservation, and other county or state agencies, as appropriate.
- (11) Adequately addressing each element required to be addressed in Site Plans pursuant to this Law.

G. Required Improvements

In furtherance of the purposes of this Law and to assure the public safety and general welfare, the Planning Board shall require the following improvements:

- (1) The designation of pedestrian walkways or sidewalks for the safe and convenient movement of patron from store to store within the site and with adjoining sites.
- (2) The dedication of rights-of-way and easements for all facilities to be publicly maintained prior to the issuance of any building permits or occupancy.
- (3) The construction of all off-site curbs, gutters, sidewalks and road widening or construction as shown in the Town of Lockport Master Plan, and any amendments thereto.
- (4) The construction of curbs, gutters and drives which will permit vehicular travel on the site and their connection to and from adjacent parking areas and properties.

- (5) Screening, fencing, walls, berms and screen plantings adequate to screen views in accordance with requirements of this Law for adjacent subdivisions, contrasting development of less intensity and state highways of limited access. Designated plantings and landscaping shall be in accordance with the approved schedule and annually maintained by the property owner.
- (6) Adequate sewer, water and storm water drainage facilities in accordance with Town regulations including lines, connections, retention facilities, valves, hydrants and other facilities.
- (7) Any other improvement necessary to meet any condition of approval.

H. Agreement Bond

Prior to the issuance of any building permit or authorization for development of any portion of the site, the owner and developer shall comply with the Public Improvement provisions of the Town Code, and may be required to post a bond, cash deposit or letter of credit to guarantee compliance with site plan requirements.

I. Inspections, Certificate of Occupancy

Upon satisfactory completion of all requirement improvements shown on the approved site plan, an "as built" plan may be required to be submitted for the review and approval of the building inspector at least one (1) week prior to the occupancy of the building. The building inspector may require "as built" in electronic format. Such plan shall include the record of all progress and final inspections for the installation of all on-site and off-site improvements as approved by the building inspector or certified by a licensed engineer. The completion of "as built" plans and the successful inspection reports shall be the basis for release of any surety bond or portion thereof.

A final occupancy permit may be issued for any appropriately completed building, or portion thereof, located on a part of an approved site plan, provided that:

- (1) "As built" plans have been submitted and approved for the required improvements on the site plan that relate to and provide services to the requested building for occupancy;
- (2) All inspections and conditions that are required for the service and support of the building requested for occupancy have been successfully completed and are certified for use by the proposed use(s) being requested;
- (3) Any off-site and on-site improvements related to any necessary to service the requested building for occupancy have been completed and successfully inspected; and
- (4) Any remaining on-site construction will not adversely affect the occupants or the intended use of the building requested for occupancy.

## Article \_\_\_\_

## § \_\_\_\_ - \_\_\_\_Planned Unit Development (PUD) District.

## A. Intent

It is the intent of the Planned Unit Development (PUD) District to provide greater flexibility and opportunity for the development of mixed uses in specific areas of the Town. Innovative design and creative mixtures of land use are encouraged to offer the potential for a sustainable development that can provide the economic, residential and service base, which is consistent with the goals and objectives of the West Seneca Comprehensive Plan. In addition, the PUD District is intended to encourage imaginative ways of accommodating environmental and resource conservation into the development plan to strike a balance of physical features, environmental responsibility and development opportunities.

A requisite of the PUD District is the planning of the entire site of integrated uses (human, physical and environmental) to redefine land use concepts into a consolidated and coordinated grouping that offers new approaches to community development. Therefore, instead of traditional zoning and subdivision requirements and standard development review procedures, this section establishes new procedures for the review and consideration of development proposals under this zoning classification. The PUD District is a floating zone district that does not get attached to the land until a development plan has been officially approved by the Town.

An application for any development under the PUD District must promote and adhere to the following objectives.

1. A variety of land use choices should be provided with respect to the type of environment, tenure, style and cost of housing, commercial use, economic opportunities and/or recreational and community facilities than otherwise exist in the Town.
2. A more efficient and economic arrangement of land uses, traffic circulation, utilities, open space and services should be offered that would lessen the cost and maintenance of the development.
3. Uses and facilities that consolidate infrastructure and ancillary services should be incorporated into the plan to encourage self-sufficiency of the development.
4. A comprehensive design for stormwater management and drainage, flood control and open space should be integrated into the development.
5. The safe and adequate conveyance of automobiles, pedestrians, and bicycles should be provided as a part of the circulation system.
6. Extend and enhance a usable amount of diverse recreation and open space in the community of suitable size and location.
7. The natural resource features of the site should be preserved to the greatest extent practicable, including topography, soils, woodlands, marshlands, floodplains, significant vegetation and geologic aspects of the landscape.



8. Creative use of the land, in conjunction with existing natural elements, should be offered to provide an orderly transition from adjacent area uses, and where such a transition cannot be made, buffering and landscaping, **as deemed appropriate by the Planning and Town Board**, shall be utilized to enhance the transition.
9. A balance of natural and developed elements should be achieved to compliment the surrounding environment and provide a succession of land uses within the development area.
10. A consistent and unified architectural design theme or concept should be offered for the development, with elements that produce a cohesive visual appearance throughout.
11. A more desirable development atmosphere should be created than would otherwise be possible under the strict application of other section of this Chapter.

B. Permitted uses and structures.

Permitted uses shall provide a mixture of activities, open space, services and infrastructure to provide a multi-use neighborhood designed as a cohesive development and planned as a consolidated entity. Approved concept and development plans are required for the entire area.

Uses and structures permitted in the PUD District shall be as follows.

1. Principal uses and structures permitted in all single and multi-family residential and commercial use districts, except bus stations, motor vehicle sales, repair and service, truck terminals, outdoor activities other than non-commercial recreation or golf courses, public storage and warehousing. Retail uses shall not make up more than 10% of the site and shall be minor in nature. Industrial uses shall be prohibited.
2. Accessory uses and structures, as permitted in residential and commercial use district.

C. Special uses.

Special uses, as provided in all residential and commercial use districts shall be permitted in the PUD District by Special Use Permit and shall be subject to the limitations set forth under the residential and commercial use district regulations.

D. Dimensional and developmental requirements.

1. Area.

- (a) The minimum area designated for the use of the PUD District shall be twenty-five (25) acres. The minimum area eligible for addition to any existing PUD District for the expansion of that district shall be five (5) acres, subject to the approval of the Planning Board for infrastructure and coordination of area development.

2. Lot size.

- (a) The minimum lot designated for any eligible use shall generally be as required for the residential or commercial district in which it is allowable under the standard application of the zoning. Cluster developments shall be allowed, as regulated under this Chapter.

3. Height.

- (a) The maximum height of any structure shall be as regulated in the residential or commercial district in which it is allowable under the standard application of the zoning.

4. Landscape and open space.

- (a) In addition to other density, bulk or setback requirements, there shall be a minimum of twenty-five percent (25%) open space for the entire development, which may be composed of natural features, stormwater management facilities, and recreation areas. The minimum open space area shall not consist primarily of lawn and planted landscaping (shrubs). Trees shall represent a major element in this area.
- (b) Building or use separation areas and other areas not connected with development activity (roads, parking, driveways, utility structures and community facilities) are excluded from use as open space. Such areas may be left in a natural state or landscaped for aesthetics of functional use.
- (c) Landscaped and open space areas shall be designed to coordinate development uses, buffer dissimilar uses, protect natural and environmental features, separate buildings, prevent erosion and accommodate drainage, ensure proper light and ventilation around buildings and link development elements.
- (d) Where a PUD design incorporates cluster development, in conformance with this Chapter, the cluster development open space requirements shall apply for that portion of the PUD that is to be developed as a cluster.

5. Parking.

- (a) Minimum parking for each use shall be as required for the individual activity.
- (b) Multiple use parking facilities are encouraged and the total required spaces may be reduced up to fifteen percent (15%) for the separate uses when a shared design is utilized.
- (c) Parking spaces shall be a minimum of 10 feet by 20 feet, with a twenty (20) foot aisle for circulation.
- (d) There shall be at least five percent (5%) of each parking area reserved for open space and properly landscaped to interrupt the continuity of paved surfaces.
- (e) All parking lots shall be paved with asphalt or an equivalent permanent surface covering, with curbing and proper drainage.

6. Residential use limitations.

- (a) No less than sixty percent (60%) of any PUD shall be devoted to one or two-family residential structures.
- (b) The number of multi-family units shall not be greater than fifty percent (50%) of the total number of one and two-family units.
- (c) All residential uses shall be compatible with, and compliment, one another.

7. Other use limitations.

- (a) Activities that produce smoke, fly ash, dust, dirt, fumes or other such emissions, shall be prohibited.
- (b) Storage or sale of junk, refuse, trash, secondhand materials or abandoned automobiles is prohibited.
- (c) Storage or use of fuels or flammable liquids in bulk quantities is prohibited.
- (d) Uses that require idling of trucks or running of trucks or exterior generators is prohibited.

E. Use compatibility.

Additional criteria for screening, parking, buffering, landscaping, building design or materials may be required, at the discretion of the Planning Board, to maintain compatibility or any business or residential use in adherence with the intent of these regulations.

F. Application and procedures.

1. Pre-application Meeting.

Each proposal for the development of an area as a PUD District or the potential development of an existing PUD District requires the scheduling of a Pre-application Meeting with the Building Inspector or other Town officials, as is appropriate.

2. Sketch Plan.

- (a) The applicant shall prepare and submit a sketch plan for the conceptual development of the site, showing all primary components of the proposed development.
- (b) The sketch plan shall be prepared on a survey of the property(s) involved and of sufficient scale to illustrate all major natural features, roads, proposed circulation patterns, development elements and buildings.
- (c) No further material shall be considered until a sketch plan has been submitted and reviewed by the Building Department.
- (d) Upon acceptance of the sketch plan by the Building Inspector, the sketch plan shall be submitted to the Planning Board as a preliminary indication of the intention to develop the site and to initiate the development review process.
- (e) **The Building Inspector shall provide written comments to the Planning Board regarding the sketch plan within thirty (30) days of its submission to the Planning Board consolidating comments received from the review of the plan by other involved Town departments or outside agencies, and suggesting both development guidelines and a procedural schedule for the continued review of the application and subsequent submittals.**

- (f) The Planning Board may approve the sketch plan, reject the plan for stated reasons, or take no action. Approval of the sketch plan shall not bind the Board to further approvals. Approval shall mean only that the sketch plan is preliminarily acceptable subject to further review. If the sketch plan is rejected, the plan must be revised prior to preparation and submittal of a development plan. If no action is taken within sixty (60) days, the applicant may submit a development plan.

3. Development plan.

Upon successful consideration of the sketch plan, a development plan may be submitted to identify proposed use of the site in accordance with the following.

- (a) One or more maps, drawn at a scale of 1 inch to 200 feet or greater, identifying the property boundaries existing structures, adjacent uses and road system, topography at five-foot intervals, existing natural features, natural drainage system, wetlands, floodplains, soil information and other environmental features.
- (b) Proposed land uses, acreage of each, and estimated development densities (dwelling units, floor space, etc.), land use of properties adjacent to the site.
- (c) Proposed access and circulation and its connection to the existing highway system, primary pedestrian and bicycle circulation.
- (d) Existing and proposed water and sewer systems to serve site development and their connections to the municipal system.
- (e) Preliminary grading implications for proposed development, stormwater management, drainage and erosion control, and any development impact on floodplains, floodways and wetlands.
- (f) Treatment of major open space areas and primary landscape forms.
- (g) Sketches of typical structures and development elements to identify the basic design concepts and the architectural approach to be used, including exterior materials.

4. Planning Board review.

- (a) A development plan received by the Town Building Inspector shall be sent to the Town Engineer, Highway Superintendent and such other agencies or Town officials as the Building Inspector deems necessary.
- (b) The Building Inspector shall prepare a report and forward all documents and comments to the Planning Board for their review within sixty (60) days of submission of complete documentation.
- (c) The Planning Board shall review and make a finding that the application complies fully with the applicable regulations and standards prescribed by this Chapter or, absent compliance, is recommended for approval with modifications, returned to the applicant for amendments to the development plan, or disapproved.
- (d) The Town Board and the applicant shall be notified of the Planning Board determination and any basis for their findings. The Planning Board may, but shall not be required to, hold a public hearing on the proposed development plan.

5. SEQRA environmental review.

- (a) The Town Building Inspector shall require the preparation and submission of a SEQRA Long Environmental Assessment Form (EAF) with the development plan. A Coordinated Review shall be commenced in all cases.

6. Town Board determination.

- (a) Upon receiving a recommendation for approval by the Planning Board, or upon receipt of an application to the Town Clerk following a Planning Board recommendation other than approval, the Town Board shall schedule a public hearing in accordance with its procedures to consider the development plan as submitted.
- (b) The Town Board shall make a determination and decision on the development plan within sixty (60) days of the close of the public hearing considering the regulations and the objectives of the intent of the PUD District regulations, the recommendations report from the Planning Board, the comments from the public hearing, the comments generated from the SEQRA process and any pertinent documentation, and the protection of public health, safety and welfare.
- (c) A decision of the Town Board approving a PUD development plan or amendment shall constitute and include the same rights and obligations of a zoning matter as approved. The development plan shall constitute an amendment to the Zoning Law and Map.
- (d) The Town Board may approve the development plan as submitted, disapprove the development plan, approve the plan with conditions, refer the development plan back to the Planning Board for modifications in accordance with stated objections, or take no action.
- (e) If the Town Board approves the development plan with conditions, the development plan must be implemented in accordance with the conditions.
- (f) If the Town Board refers the development plan back to the Planning Board for revision, the Planning Board shall require the objections to be satisfactorily addressed prior to recommending approval of the revised development plan, and the Town Board must hold a new public hearing prior to action the revised plan.
- (g) Failure of the Town Board to take actions shall constitute a disapproval of the development plan. Disapproval of the development plan or referral back to the Planning Board with stated objections may take place at any time during the process, but approval of the development plan as submitted or approved, or approval of the development plan with conditions shall only take place after the public hearing and completion of all zoning amendment requirements.
- (h) Once approved by the Town Board, any changes or modifications to the layout or use on the development plan shall be subject to the same process set forth above, requiring new Town Board approval and another public hearing.

7. Development plan implementation.

- (a) Upon approval of a development plan by the Town Board, site development is eligible to proceed in accordance with the approved plan and the subdivision regulations of the Town.

- (b) Any portion of the development area designated by the development plan may be submitted consistent with the regulations and procedures of the Town Site Plan Review provisions.
- (c) Any subdivision of land shall be subject to the subdivision approval process.
- (d) Proposed development shall be consistent with the approved development plan as determined by the Planning Board, and may include one or more subdivisions.
- (e) The development plan may be phased, with one or more subdivisions, but each residential subdivision having common streets must be approved as one process. The Planning Board may require that any approved residential subdivision or uses within the development be implemented prior to or simultaneously with any commercial uses, or may require sufficient security in the form of a cash deposit, irrevocable and non-conditioned letter of credit, or a bond as approved by the Town Attorney to assure completion of any component where the development plan is phased.

## **APPENDIX C – UNION ROAD STREETSCAPE**

### **Union Road Streetscape**

The following streetscape schematic design provides the guidelines for a future streetscape project along Union Road from Norwood Drive to just south of Seneca Street. This schematic layout provides the general ideas to be incorporated into future designs and can be utilized in conjunction with the Union Road Overlay to coordinate streetscape issues.

The streetscape will need to be done in phases, as funds become available, and to match the timing of future roadway improvements. Early phases will include work that will be least impacted by structural changes to the road.

This plan will need more detailed design to finalize the types of improvements and locations, but as stated provides the framework to these designs. In approving projects in this area, this plan should be considered for issues dealing with pedestrian accessibility, landscaping, and layout issues (parking, signage, etc.).

Concepts from this design can be incorporated into future extensions of these streetscape improvements along Union Road and, eventually, down Seneca.