

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

WEST SENECA PLANNING BOARD
Minutes #2015-07
July 9, 2015

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

ROLL CALL: Present - Robert Niederpruem Jr., Chairman
Donald Mendola
Joseph Ciancio
Gerald Greenan
Anthony Nigro
Jim Rathmann
Joseph Sherman
Jeffrey Schieber, Code Enforcement Officer
John J Fenz, Town Attorney
Absent - None

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

APPROVAL OF PROOFS OF PUBLICATION

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

Ayes: All

Noes: None

Motion Carried

APPROVAL OF MINUTES

Motion by Mendola, seconded by Nigro, to approve Minutes #2015-06 of June 11, 2015.

Ayes: All

Noes: None

Motion Carried

OLD BUSINESS COMMUNICATIONS

SPR2015-02

A request from Union Fire Company for site plan approval for property located at 1845 Union Road for construction of a new 27,000 sf mixed use fire station with club facilities, assembly use (disaster relief area) and off-street parking and amenities.

Attorney Ralph Lorigo represented the petitioner and stated they still do not have a letter from the Army Corps of Engineers (ACOE) concerning the two wetlands parcels on the property. The plan was modified so the one acre wetlands parcel is not impacted, but the one-tenth acre will be. Mr. Lorigo understood the modified plan was submitted to the town late, but asked if any of the members had a chance to review it and if they had any comments.

SPR2015-02 (continued)

Mr. Rathmann suggested getting a permit to fill a portion of the parking lot which he felt would make it function much better. He further commented on removal of the handicapped parking spaces on the right side of the building.

Motion by Greenan, seconded by Mendola, to table this item until all questions are resolved with the ACOE.

Ayes: All

Noes: None

Motion Carried

SPR2015-08

A request from National Grid for site plan approval for property located at 885 Indian Church Road for rebuilding existing electrical substation and realignment /reconductoring electrical transmission lines into and out of the rebuilt station.

Chairman Niederpruem stated there is nothing new to report on this project so it will remain on the table until National Grid completes the wetlands delineation and is ready to proceed.

2015-07

A request from Forbes Capretto Homes for a rezoning for property located at 75 Schaefer Road, being part of Lot No. 421, changing its classification from R-75 to R-50, for construction of a 14+/- building, 56+/- unit townhome development.

Chairman Niederpruem stated Ralph Lorigo, attorney for the petitioner, had requested this item remain tabled to allow time to resolve some issues brought forth at the previous meeting.

2015-08

A request from Resetarits Construction for a rezoning for property located at 2544 & 2602 Clinton Street, being part of Lot Nos. 1, 2 & 34, changing its classification from M-1 to C-2 & R-50A, for office space and construction of a private townhouse development.

2015-08 (continued)

Lowell Dewey of C & S Engineers stated the alternative plans add some interest to the site while maintaining the same building footprints. The areas around the exterior edge of the property will be recreational including a hiking trail, playground areas, gazebo, pickle ball court and community building. The number of units remains the same at 48 apartment units and 24 townhouse units for a total of 72 units. A traffic study was done that indicated 7 A.M. – 9 A.M. and 4 P.M. – 6 P.M. as the peak hours and over 1000 cars during one peak afternoon hour. Traffic turning left into the site during the peak hour amounted to 17 vehicles, but it was indicated it can be done reasonably well as there are large gaps in the traffic that will allow for it.

Mr. Mendola commented on the narrowing of Clinton Street in the area of the proposed project and suggested the traffic study be submitted to the NYSDOT. Attorney Ralph Lorigo represented the petitioner and stated they have submitted the traffic study to the Planning Board and if they would like input from NYSDOT they should submit it.

Mr. Dewey noted the NYSDOT will need to issue a curb cut permit, so they will scrutinize the project at that time.

Chairman Niederpruem stated he would like input from outside parties such as Buffalo Riverkeepers, NYSDOT, Environmental Commission, etc.

Mr. Lorigo noted the property is zoned for manufacturing which does not fit in the neighborhood and they are proposing to upgrade the zoning. He was aware of a petition circulated by the neighbors and wanted to set up a meeting with them to answer their questions about the project.

Mr. Rathmann agreed the property should not be zoned M-1, but did not necessarily agree it should be zoned R-50A. He would like to see the project reduced to half the size with smaller buildings grouped in a residential setting rather than long buildings that create walls.

Duane Held questioned if anyone could buy the buildings and turn them into glorified apartment buildings for rent that are not maintained.

Mr. Lorigo responded the property will be managed by the owner and there will be an office on site.

Gary Mackiewicz referred to the petition submitted by Lakeside Drive residents and stated they are totally opposed to the project. They do not want to see every piece of green space in town developed and believe if the project goes forward there will be an increase in crime in the neighborhood.

2015-08 (continued)

Chairman Niederpruem stated the property remained green in the past because that's what Buffalo Crushed Stone wanted, but there are new owners now and they have the right to develop their property.

Motion by Niederpruem, seconded by Greenan, to table this item until the petitioner has an opportunity to meet with the residents and explain the proposed project in detail.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS COMMUNICATIONS

SPR2015-13

A request from William Held Jr. for site plan approval for property located at 2983-2985 Seneca Street for construction of a 30' x 40' office building and 54' x 22' garage units.

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

Ayes: All

Noes: None

Motion Carried

Chairman Niederpruem stated along with the application the Planning Board received a short environmental assessment form, a technical report from Tredo Engineering, a site plan and a survey.

Robert Kasprzak of K1 Architecture PLLC stated HJS Supply is located in the existing 13,900 sf one-story building at 2983-2985 Seneca Street. The proposed building consists of two buildings attached to each other – a 30' x 40' single story building with decorative block and a 54' x 22' pre-fabricated metal building with garage units.

William Held of HJS Supply stated his business sells janitorial supplies and equipment along with water restoration equipment used by businesses like Stanley Steemer, etc. These businesses buy their vans, truck mounts, shampoo equipment and chemicals from him and some are in need of a place to park their vans which need to be stored in heated garages. Training classes are also held at this location and he would like to make this a training center with more office space. Mr. Held noted the property is zoned correctly for this business and he intends to make the new buildings look nice as he did with the current building.

SPR2015-13 (continued)

Mr. Rathmann had no problem with the project, but noted the short environmental assessment form indicates wetlands on the site, a flood plain and an archaeological zone and the plans do not show the limits of these areas.

Mr. Kasprzak presented a Phase I environmental site assessment describing the location of the wetlands and Mr. Held stated it involved the back third of the property starting 700' from the building.

Mr. Greenan questioned if Mr. Held would be comfortable withdrawing the southerly 600' of the property from the application, noting this would remove the objections concerning the archeological zone and wetlands.

Mr. Held agreed to remove that portion of the property from his application.

Susan Kims questioned if there will be a sprinkler system in the building where the vehicles will be stored.

Mr. Kasprzak stated they will be individual garages with fire walls, so it does not meet the threshold for sprinklers.

Motion by Greenan, seconded by Rathmann, to adopt the following resolution issuing a negative declaration with regard to the project at 2983-2985 Seneca Street:

WHEREAS, the Town of West Seneca received an application for site plan approval for property located at 2983-2985 Seneca Street for construction of a 30' x 40' office building and 54' x 22' garage units; and

WHEREAS, the Town of West Seneca Planning Board in compliance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law has reviewed this action; and

WHEREAS, this project will not adversely affect the natural resources of the state and/or the health, safety and welfare of the public and is consistent with social and economic considerations; now, therefore, be it

RESOLVED, that the Town of West Seneca Planning Board has determined that the proposed action is not anticipated to result in any significant negative effect on the environment and that a Negative Declaration is hereby issued.

Ayes: All

Noes: None

Motion Carried

SPR2015-13 (continued)

Motion by Greenan, seconded by Sherman, to grant site plan approval for property located at 2983-2985 Seneca Street for construction of a 30' x 40' office building and 54' x 22' garage units, noting the most southerly 600' of the property has been removed from the application.

Ayes: All

Noes: None

Motion Carried

2015-09

A request from Paul M Dugas for a rezoning for property located at 2990 Transit Road, being part of Lot No. 349, changing its classification from C-1 to C-2, for an electrical contracting business.

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

Ayes: All

Noes: None

Motion Carried

Chairman Niederpruem stated along with the application the Planning Board received a survey, site plan and a deed.

Paul Dugas stated he recently purchased the property at 2990 Transit Road. He intends to live in the house and would like to move his business, Dugas Electric, from Elma to this location. There is a 20' x 30' garage in the rear he will use for storing equipment and supplies for the business. His work is strictly done off site and there will be no retail business at this location and no noise generated. Mr. Dugas stated the property will be kept clean with no outside storage.

Mr. Mendola questioned his plan for lighting the property.

Mr. Dugas responded there will be minimal lighting and it will be directed to the ground.

Mr. Sherman questioned how many vehicles will be stored on the property.

Mr. Dugas stated he owns two business vehicles and a personal car. The utility van will be parked outside. They work 40 hours per week, no weekends, leave at 8 A.M. and return at 5 P.M.

Chairman Niederpruem questioned if Mr. Dugas had discussed his proposal with his neighbors and suggested there be screening for the neighbor to the north from the garage to the back of the building.

