

**WEST SENECA COMMUNITY ROOM
1300 Union Road
West Seneca, NY 14224**

**WEST SENECA PLANNING BOARD
Minutes #2023-04
April 13, 2023**

Mr. McCabe inquired if there will be any automotive use from the building. Mr. Sheedy stated there will be equipment storage for Mr. Tschetter's business.

Mr. Sherman noted there is an advertisement for space for rent and questioned if this new space would be used for rental purposes. Mr. Sheedy stated he would assume so as the existing two buildings are currently occupied.

Mr. McCabe questioned if this building is located within the special use area. Code Enforcement Officer Jeffrey Schieber stated the town requires a special use permit for any automotive use. Currently, there is a special use permit for this property and is very specific to the automotive building the tenant is in. If any portion of the new building becomes automotive use, a special use permit will be required. This request has nothing to do with the previously granted special use permit.

Mr. Sherman questioned the type of stormwater system that will be used. Mr. Sheedy stated it would be a dry pond and provided an illustration of where this would be located.

Mr. Frick questioned if drainage from the new pavement and building will go directly into the pond. Mr. Sheedy confirmed.

Mr. Schieber stated the engineering was approved by the Town Engineer and engineering requires a swale on the east side of the property.

Mr. Frick questioned if the swale would drain into the catch basin just off the property line. Mr. Sheedy stated he would need to look at the topography. Mr. Schieber illustrated the high point of the grade and where the drainage would go to the north. There would be no runoff to the adjacent property.

Mr. McCabe questioned the hours of operation and types of storage. Mr. Sheedy stated the same hours that are currently in existence; 8:00 AM – 6:00 PM. The storage would be small construction equipment and pickup trucks, no heavy machinery.

Mr. Frick questioned the zoning. Mr. Schieber stated this is a permitted use with an M1 zoning.

Mr. Hayes questioned the lighting plan. Mr. Sheedy stated there would be wall packs for safety and access purposes. There is no external light proposal. There are currently wall packs on the existing building. Mr. Schieber presented the photometric plan and stated the light disperses to the ground to the middle of the new driveway.

Micah Milewski, 4620 Clinton Street stated the following:

- Lives next to the property and has had past issues with screening and drainage.
- Questioned the landscaping and screening for safety and privacy; should have a solid barrier along the site plan – Mr. Schieber stated this was not placed on the site plan as the doors afront Mr. Milewski's woods. Chairperson Bebak stated the Planning Board can go back to this issue.
- Questioned the current elevations on any of the site plans – Mr. Schieber provided illustrations of the existing topography and stated the owner advised the surveyor to not step onto Mr. Milewski's property. Mr. Sheedy explained the dotted lines are current elevations. Mr. Schieber stated the darker lines are proposed elevations.
- Requested a long form be completed – Mr. Schieber stated he can find the SEQR process from the original request. This project does not meet the requirements for a new SEQR; this is a zoning compliant use, there is no tree clearing, the Clinton Street access exists, and the storm water retention is on site. The parcel is already disturbed with no archeological sensitive areas. Mr. Sheedy stated the proposed

disturbance for this building is only 0.9 acres. Mr. Frick noted at the time of the original project, the Town Board did issue a negative declaration pursuant to SEQR for the entire site.

- The site plan for the stone pad installed in 2021 should be 14' off the property line with screening. The pad is 2' from the property line with no screening. Mr. Schieber provided the 2021 approval for the stone area, and it does state 14'. The new plan shows the existing stone going away. Mr. McCabe questioned the side yard requirement. Mr. Schieber stated the requirement is 10'; the parking lot is approximately 14'.
- Questioned if more trucks will be loading and unloading on Clinton Street – Mr. Schieber stated the NYSDOT can be involved if this happens to advise on procedures.
- Questioned if he will have trees removed from his property – Mr. Sheedy stated no trees on Mr. Milewski's property will be disturbed.
- Requested a town definition of what is an enclosed building as the doors are frequently opened - Mr. Schieber stated does not believe there is a definition of an enclosed building. The noise ordinance is 95 decibels, and it would not be unreasonable to have the garage doors closed.
- Would like the screening completed before the certificate of occupancy is issued.

Chairperson Bebak questioned what specific screening Mr. Milewski would prefer. Mr. Milewski stated a solid barrier. Trees could be used if they created a solid barrier and Mr. Milewski is open to options and would like privacy.

Mr. McCabe stated the Planning Board is asking what would satisfy Mr. Milewski and explained the Planning Board can present this to the developer. Mr. Milewski stated if the trees were arranged in a way to create a barrier, he would not be opposed.

Mr. McCabe questioned if the owner could provide a tree study with a density plan. Mr. Schieber stated by looking at the plan, you can see the density of the trees. A standard height should be included in the plan. Mr. Milewski reiterated he does not want people on his property. Chairperson Bebak stated thick pine trees would not be unreasonable.

Mr. Frick stated it was his understanding that Mr. Milewski was looking for a physical barrier as opposed to a screen; the Planning Board can dictate screening and not a physical barrier. Mr. Milewski stated he is looking for something that will prohibit someone from seeing straight through. Mr. Frick questioned if a line of arborvitae would be sufficient. Mr. Sherman expressed concerns with deer eating the arborvitae.

Mr. Sheedy stated if the Planning Board requested screening, this would be acceptable. Filling in the space surrounding the ADA parking is acceptable. The existing pine trees are smaller and will grow and provide screening. A few staggered trees around the swale may be sufficient.

Mr. Sailer stated the parking could be brought back and if shortened a swale could still be put in. Mr. Sailer would like to see focus and thought put into the east side of the property; maples could be included with pine trees.

Motion by Bebak, seconded by Frick, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by McCabe, to table the item until the May meeting to allow the applicant to return with a landscape plan that includes shielding.

Ayes: All

Noes: None

Motion Carried

SPR2023-003

A request from Gateway Services Inc – Ryan Lane for site plan approval for property located at 757 Seneca Creek Road for construction of a one story 1,500-sf extension of crematory services, and all related site improvements.

Motion by Bebak, seconded by Frick to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Ralph Lorigo presented the following on behalf of the applicant:

- The location is Pine Rest Pet Cemetery.
- Gateway Services has completed a two-year accreditation program for crematory services.
- The application is for a 30' x 50' addition to the existing building to expand the crematory.
- No changes in zoning or variances are required.
- Elevations and the air pollution control permit have been submitted.

Mr. McCabe noted a letter has been provided by the Town Engineer stating all requirements have been met.

Motion by Bebak, seconded by Hayes, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Sherman, to grant site plan approval for property located at 757 Seneca Creek Road for construction of a one story 1,500-sf extension of crematory services, and all related site improvements.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Bebak, seconded by Frick, to adjourn the meeting at 6:49 P.M.

Ayes: All

Noes: None

Motion Carried

**AMY M. KOBLER
TOWN CLERK/PLANNING BOARD SECRETARY**