



- ✓ Building A is parallel to Seneca Street, office entrance doors facing Seneca Street, loading areas behind the building
- ✓ Building B, perpendicular to Seneca Street, will have bays, cannot get behind the building

Code Enforcement Officer Schieber stated the applicant provided an updated application and updated Short Environmental Assessment form, a copy of the agreement between the parcel owner and utility easement area, a clearance letter from SHPO, a wetland delineation indicating there are no wetlands on the site, and the Town Engineer has given approval.

Mr. Frick referred to the Short Environmental Assessment Form and made the following comments:

- ✓ Confirmed corrections were made to Part 2
- ✓ The Planning Board prepared Parts 2 and 3:
  - Part 2 – No or small impact may occur under all items
  - Part 3 Determination of Significance – Spec building (minor manufacturing and/or retail) will not generate a significant increase in demand on public water or wastewater services. Determination has been made that no wetlands will be affected by this project. SHPO has determined there will be no impact on any historic resources by this project. Therefore, the proposed action will not result in any significant adverse environmental impacts.

Motion by Frick, seconded by Sherman, to recommend that the Town Board adopt a Negative SEQR declaration for property located at 3155 Seneca Street.

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Hayes, to grant site plan approval for property located at 3155 Seneca Street for construction of two (2) multi-tenant commercial buildings.

Ayes: All

Noes: None

Motion Carried

### **SPR2024-03**

A request of Embury Holdings, LLC for expansion of the existing building with sitework for property located at 287 Center Road.

Matt Fitzgerald of Phillips Lytle, attorney for the applicant, made the following comments:

- ✓ Application was before the Planning Board for concept plan review and the Zoning Board of Appeals for the necessary variances
- ✓ At the request of the Planning Board and Zoning Board of Appeals, additional landscaping was added and surrounds the front yard parking lot
- ✓ There were no other changes to the plans, noting additional drainage detail required for Engineering approval was added and the approval was received
- ✓ The proposal is a minor expansion of an existing dental facility and is a Type 11 Action under SEQR and no further review is required
- ✓ Complies with town code and site plan approval

Chairperson Bebak requested clarification of the perimeter fencing. Mr. Fitzgerald stated there is existing fencing mid-way back along the property line and wraps along the rear of the property stopping at about the same point

along the eastern side of the property. There is no fencing in the front yard and landscaping is preferred aesthetically, will not exacerbate inconsistencies with the surrounding properties, and will not obstruct the existing sign. Mr. Fitzgerald concluded the fencing will remain as is and additional landscaping will screen the parking lot. Mr. Frick questioned if the fence is a stockade fence. Mr. Fitzgerald confirmed this.

Mr. McCabe questioned if continuing the use of the property was discussed at the Zoning Board of Appeals meeting. Mr. Fitzgerald stated the focus of the Zoning Board of Appeals was the area variance component and reiterated their position that once a use variance is granted, the use can expand or contract on the property as long as the use does not ultimately change from what the use variance originally was. The Zoning Board of Appeals did not raise any issues about this position.

Mr. Frick questioned the proposed lighting for the new parking area along the existing residential properties. Mr. Fitzgerald stated no lighting is being proposed because of the hours of operation. Mr. Frick clarified, what are the plans for the parking along the east side toward the back. Mr. Fitzgerald stated there is an existing light on the building and no new lighting is proposed. Mr. Frick questioned if the lack of additional lighting is a safety concern during the winter months. Mr. Fitzgerald stated this is the existing condition and consider additional lighting to be more impactful on the neighboring property owners. Chairperson Bebak questioned the location of the existing light. The light is located above the side service door where the roof meets the building is on a timer turning on at 6 A.M. and off at 7 A.M. Mr. Fitzgerald stated the applicant can add an additional light on a timer if the Planning Board requires this.

Motion by Bebak, seconded by Sailer, to approve the site plan for property located at 287 Center Road with the following condition: 1) addition of lighting with the proper deflectors.

Ayes: All

Noes: None

Motion Carried

**SPR2024-04**

A request of Chris Jerge for site plan approval for property located at 711 Harlem Road for construction of a multi-family dwelling – 5 units proposed with site infrastructure.

Doug Feyes of Carmina Wood Design, Civil Engineer for the applicant, made the following comments:

- ✓ Addressed comments from the Planning Board and Town Engineer and noted they have received Engineering approval
  - Added sidewalk access to the right-of way, striping to the other side of the drive aisle and handicap parking spaces
  - Additional screening, plantings, to fill in the gaps at the rear of the property
  - Area variance granted by the Zoning Board of Appeals lowering the area per unit required to adjust for the parcel size, increasing it from 3-units to 5-units

Mr. Sherman stated he does not see a shelter for students waiting for school busses. Mr. Feyes stated there is not enough room in the setback to add a shelter and speculated students would wait at their doors and questioned if the town code required a shelter. Chairperson Bebak agreed that there is not enough space for a shelter.

Mr. Frick questioned if there is space for sidewalks along Harlem Road in this location. Mr. Schieber stated he understands the plans include sidewalks along Harlem Road and will review the drawings the town has been provided.

Mr. McCabe questioned how garbage will be managed. Mr. Feyes stated each unit will have their own totes for garbage and recycling.

Chairperson Bebak requested elevation details. Mr. Feyes stated Carmina Wood is not the architect, but can provide general information:

- ✓ Typical townhouse elevation
- ✓ Each unit has a driveway and garage, front door, and green space
- ✓ Two-story units

Chairperson Bebak questioned if there is stonework on the bottom elevation. Mr. Feyes stated he is not certain.

Motion by Frick, seconded by Bebak, to recommend the Town Board grant site plan approval for property located at 711 Harlem Road for construction of a multi-family dwelling – 5 units proposed with site infrastructure.

Ayes: All

Noes: None

Motion Carried

**ADJOURNMENT**

Motion by Bebak, seconded by Sailer, to adjourn the meeting at 6:22 P.M.

Ayes: All

Noes: None

Motion Carried

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Flex Space Redevelopment - 3155 Seneca Street LLC				
Name of Action or Project: Flex Space Redevelopment				
Project Location (describe, and attach a location map): 3155 Seneca Street, West Seneca Street 14224				
Brief Description of Proposed Action: The "Owner", 3155 Seneca Street LLC desires to redevelop their property into a Flex Space Development and infrastructure on a 5.8 acre parcel of land located on the western side of Seneca Street known as 3155 Seneca Street (SBL NO. 153.17-1-1.1). The project will include two new metal buildings (50 ft x 200 ft and 50 ft x 175 ft.) that will serve a variable number of tenants based on leased spaces. New parking will be placed on existing stoned areas and a stormwater detention system will be in the rear of the building facing Seneca Street. The property is bound by Seneca Street along the east and Cazenovia Creek along the southern boundary and NYSEG on the west. The property is currently a viable commercial business zoned M-1 which is appropriate for the proposed future development.				
Name of Applicant or Sponsor: 3155 Seneca Street LLC, Thomas Worthington		Telephone: (716) 608-9631 E-Mail: tom@worthingtoncompanies.com		
Address: 3155 Seneca Street				
City/PO: West Seneca Street		State: New York	Zip Code: 14224	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDOT Perm 33 - Commercial for new curb cut			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		5.8 acres		
b. Total acreage to be physically disturbed?		4.0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.8 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The project will maintain the 50 ft. stream buffer from Cazenovia Creek. _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____ Stormwater will be managed before being directed to an existing 15 inch outfall along Cazenovia Creek. _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>Thomas A Worthington JR</u> Date: <u>5/6/2024</u> Signature: <u>[Signature]</u> Title: <u>Member</u>		



Project:

Date:

**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Project:	
Date:	

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.


6. - Spec. building (minor manufacturing and/or retail)  
will not generate a significant increase in demand on public water or wastewater services.

Determination has been made that no wetlands will be affected by this project.

SHPO has determined there will be <sup>no</sup> impact on any historic resources by this project.

Therefore the proposed action will not result in any significant adverse environmental impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
 Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)