

Chairman Rathmann called the meeting to order at 7:00 P.M. followed by the Pledge of Allegiance led by Sergeant-at-Arms George Clifford.

ROLL CALL: Present - James Rathmann, Chairman
Margaret Bebak
George Clifford
James Frick
Dale J McCabe
Raymond Nalewajek
Eric Sailer
Jeffrey Schieber, Code Enforcement Officer
Tina Hawthorne, Town Attorney

Absent - None

APPROVAL OF PROOFS OF PUBLICATION

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

Ayes: All Noes: None Motion Carried

APPROVAL OF MINUTES

Motion by Clifford, seconded by McCabe, to approve Minutes #2020-03 of March 12, 2020.

Ayes: All Noes: None Motion Carried

NEW BUSINESS

SPR2020-02

A request from DATO Development for site plan approval for property located at 299 Leydecker Road for construction of a multifamily housing development.

Motion by Clifford, seconded by McCabe, to open the public hearing.

Ayes: All Noes: None Motion Carried

SPR2020-02 (continued)

Sean Hopkins of Hopkins, Sorgi & McCarthy PLLC along with Anthony Candolfi project manager from Carmina Wood Morris were in attendance along with the petitioner Mr. David Burke. Mr. Hopkins presented the attached presentation with the following key points:

- The site is 8.63 acres in size with a R-60(s) zoning – this request is for Site Plan Approval
- The project is for 74 attached multifamily units – five, 2-story buildings with 10-units per building along with six, 1-story buildings with duplex style units for a total of 24 units.
- Each unit will have 2 parking spaces including an attached garage space; 25 parking spaces will be available for visitors for a total of 173 parking spaces
- At the December 16, 2019 Town Board meeting the Town Board unanimously voted to issue a negative SEQR declaration and grant a special use permit with the following condition: The eastern most 115' of the project site will be permanent open space and protected via the recording of a Declaration of Restrictions at the Erie County Clerk's Office (1.38 acres of the project site)
- Planning Board recommended approval of the special use permit on October 10, 2019
- Site Plan Application with fully engineered plans, etc. filed on March 12th
- On-site storm water management system to be installed in accordance with the stringent storm water quality and quantity standards of the NYS Department of Environmental Conservation
- Gina M. Wilkolaski, P.E., Traffic Safety Engineer, issued a letter on behalf of the ECDPW stating there are no further concerns with regard to Leydecker Road
- Josalyn Ferguson, Ph.D, of the New York State Office of Parks, Recreation and Historic Preservation ("SHPO") issued a letter stating as follows: "[I]t is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project."
- The NYSDEC approved the DSCA, as well as Steve Tanner of Clark Patterson Lee
- The Project Sponsor will be required to make an Inflow/Infiltration payment of \$17,556.00 to the Town based on four times the measured peak sanitary sewer flow
- Engineered plans and SWPPP with Engineer's Report prepared by Carmina Wood Morris DPC have been approved by David Johnson of Clark Patterson Lee
- The back of the property contains 115' of permanent open space pursuant to the condition of the Town Board and is has been filed with the Erie County Clerk's office guaranteeing the area will remain undeveloped
- The landscaping plan includes 95 trees with 6 different varieties and 191 shrubs
- The grading plan provides a berm on the back portion of the site; the developer will be working along with the direct neighbor
- §102-12B of the Town Code regulates Site Plan criteria and all of the requirements are met

Code Enforcement Officer Jeffrey Schieber stated the project has been sent on for coordinated SEQRA review and most of the issues have already been addressed, noting the plan complies with Town Code.

SPR2020-02 (continued)

Chairman Rathmann had the following comments/questions:

- The EAF states the buildings will consist of 2-story buildings with no mention of 1-story buildings; what is the appearance of the 1-story - Mr. Hopkins responded the 1-story is compatible to the 2-story in design and upscale in appearance. A 1-story is more attractive to current residents wishing to downsize. The 1-story units are along the back of the site plan and will have a walkout basement because of the grade. The units are 2-story in the back with the appearance of a 1-story in the front.
- Will storm water runoff flow onto adjacent properties; the appearance is that two detention basins are capturing all the storm water from the entire site; before it was evenly distributed - Mr. Candolfi replied the outflow pipes from the detention ponds discharge into the creek that runs through the property; the pipes themselves are entirely on the property. Mr. Hopkins stated none of the flow will go onto adjacent properties; water will go into the storm water management system to be discharged at a controlled rate into an existing ditch as required.
- Requested clarification on the traffic control study - Mr. Hopkins stated the traffic impact study confirmed there will not be more than 100 vehicles per hour at the intersection.
- Trees have been removed on site; were tree removal permits required as removal seemed premature without site plan approval - Mr. Schieber replied Mr. Burke has been working with the Town Engineer to mitigate the old existing sewer from the VFW Post; in addition he supplied the necessary asbestos report for the demolition of the building. An agreement was reached allowing Mr. Burke the demolition of the free standing pavilion; some trees had to be removed around the pavilion for equipment logistics. The neighbor to the west was in discussions with the petitioner to sort out the technicalities of the site plan and an agreement was reached on berms and some trees were removed to start the construction. A couple trees may have inadvertently been removed from the front.
- Due to there being no revised plan, the width of the road and sidewalk were never addressed - Mr. Hopkins stated there were changes made based on the input from last year including the placement of the driveway, landscaping and permanent open space. The plan is the same one approved by the Town Board.
- No need for a 50' wide roadway; other than for providing parallel parking there is not a need. A 30' width and eliminating parking spaces would allow an increase in the backyard in Building A and allow more space between the center buildings - Mr. Hopkins replied there are stringent requirements for emergency access and this meets the requirements. The layout allows someone to park a car in front of their garage, making sure there is adequate room to back out.
- Would prefer a sidewalk around the site for safety along with a recreation area - Mr. Burke stated there is green space between the buildings and places to congregate.
- Trees along roadways should not be ornamental trees which are mostly shown - Mr. Hopkins replied that can be changed.
- The landscaping ordinance requires a 50' buffer adjoining residential districts along with providing a street screen along the street for objectionable views - Mr. Hopkins stated this is not an objectionable view and welcomes input with landscaping.
- Has feedback been received from the Fire Department - Mr. Schieber replied the Fire Departments were provided the plan and are pleased with the 30' driveway and 50' drive lane. 2-story buildings are required to have sprinklers and there are 2 new fire hydrants proposed on site. Nothing is out of the ordinary, no letter has been provided

SPR2020-02 (continued)

but there have been discussions. Mr. Hopkins stated all aspects conform to the New York State Fire Code.

- Is the 30' driveway between buildings A and building C necessary - Mr. Burke stated that may be narrowed.
- Although Mr. Bommer was looking for a 4' high berm, because of the grades of his property, the top of the berm is the same elevation as his roadway - Mr. Bommer from 321 Leydecker stated the plan shows it going above the roads. The screening is there and the trees grow and keep screening. Mr. Bommer also noted the trees that were taken down were dead causing them to be removed.
- The NYS DEC requires a landscape plan for the bio-retention basins, maintenance agreement between the owner and the town along with testing to see if the bio-retention is adaptable to the soil conditions - Mr. Hopkins stated he is very familiar with storm water management requirements and is not recorded until after approval.
- The grading on the east side and concerns with removal of vegetation because the grade pulls back behind the building
- Will curbing be placed around the entire site - Mr. Burke replied there will not be curbing around the entire building but can be revised.
- Is the pavement adequate to handle trash pickup trucks - Mr. Candolfi replied that is typical for standard duty asphalt but could be bumped up.

Mr. Clifford noted the Comprehensive Plan and the need for a walkable community, stating there are too many concerns.

Mr. Nalewajek commented on the pavement and if the heavy trucks would affect the apron.

Mr. Sailer stated the pavement is a standard pavement section and many residential roads are the same. There is adequate green space and a park down the road. There doesn't seem to be a need for sidewalks around the project as there is a plan for a sidewalk to Leydecker Road.

Ms. Bebak stated she concurs with Mr. Sailer's statements and the width of the road allows for easy backing in and out with more parking.

Mr. Frick questioned if the bio-retention area was engineered for proper drainage. Mr. Candolfi replied the soil is brought in and is a specially designed soil to allow the water to drain through and meet water quality standards set by the DEC.

Mr. McCabe questioned what would have to be done to the plans if sidewalks were made a requirement. Mr. Candolfi replied they would have to be placed in the green space in front of the building and circle around the entire site. Mr. Burke stated a sidewalk would take away from the green space and be interrupted by every driveway.

SPR2020-02 (continued)

Five residents from Leydecker Road had the following comments/questions:

- Will there be trees and a berm the entire south side between Mr. Bommer's road and the project. Mr. Burke stated there will be a berm.
- A recreation area should be provided for children – Mr. Burke stated he agrees to a recreation area.
- Will a fence be provided along the south end – Mr. Burke stated there will not be a fence but a berm with trees.
- Suggested lowering the speed limit on Leydecker to 35 mph with the added 85 units – Mr. Schieber replied Leydecker Road is a county road and the town could ask Erie County.
- Concerns about the possibility of asbestos in the building – Mr. Schieber replied the asbestos report has been completed with 25 sf of ceiling tile being removed and containing asbestos
- Concerns regarding the tree removal
- Residents were told that there would be a fence along the berm – Mr. Schieber replied there can be only a fence or a berm and the agreement was made with Mr. Bommer, and noted issues come with the upkeep on the fence on a large property.
- The role of the Planning Board is the safety of the residents of the Town of West Seneca – Town Attorney Tina Hawthorne stated the role of the Planning Board is to act as an advisory board to the Town Board with recommendations providing for growth and development within the community
- Landscaping shielding objectionable sites is subjective and suggested reducing the size of the building to increase the green space
- The park up the road is already overburdened and will not satisfy the need of additional residents
- Leydecker Road is already filled with potholes and makes it hard for people to walk
- May fines be placed for tree removal as it was stated previously that no living trees would be removed – Ms. Hawthorne stated although she does not know all the details, the Code Enforcement Office did give permission and will follow up
- Residents will have the potential to cross the property onto the neighboring property without a fence

Ms. Bebak noted new landscaping plans towards the front. Mr. Burke stated there will be six trees planted towards the front.

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

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Sailer, to grant site plan approval for property located at 299 Leydecker Road for construction of a multifamily housing development with the following conditions: 1) addition of a recreational area; 2) decreasing the width of the paving between buildings A and C.

SPR2020-02 (continued)

On the question, Mr. Schieber stated neighbor concerns were the verbal promise for a fence due to security; residents have the potential to cross the driveway and enter the neighboring property. Ms. Bebak questioned if Mr. Boomer had an objection to a fence. Mr. Boomer stated the fencing would have to encompass the entire property. A berm adds more shielding for privacy as it grows and shields it more in the future. Mr. Boomer owns the perimeter of the development.

On the question, Mr. Clifford stated he will be voting no because of the Town of West Seneca's Comprehensive Plan and the need for a walkable community.

On the question, Chairman Rathmann stated he will vote no to maintain a walkable community and would like resubmitted plans addressing all the comments and questions.

Ayes: (4) Sailer
McCabe
Frick
Bebak

Noes: (3) Nalawejek
Clifford
Rathmann

Motion Carried
APPENDICES

Motion by Bebak, seconded by Frick, to adopt the following resolution issuing a negative declaration with regard to the State Environmental Quality Review Act ("SEQR") for the proposed project at 299 Leydecker Road:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed the Short Environmental Assessment Form ("Short EAF") prepared by the applicant for property located at 299 Leydecker Road ("Subject Property"), for construction of a multifamily housing development including but not limited to the five, 2-story buildings with 10-units per building along with six, 1-story buildings with duplex style units for a total of 24 units, parking spaces, landscaping, a stormwater management system to comply with stringent stormwater quality and quantity standards, lighting, landscaping and utility lines and connections (collectively the "Project") and reviewed the Short EAF analyzing the potential for the Project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the identified potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

WHEREAS, upon review of the Short EAF and other relevant documentation including the project plans submitted by the applicant in connection with the review of the Project, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that preparation of an Environmental Impact Statement is not necessary and that the issuance of a Negative Declaration is therefore appropriate;

NOW THEREFORE, BE IT RESOLVED, that pursuant to 6 NYCRR 617.7(a) the Planning Board does hereby adopt a Negative Declaration with respect to the Project based on its determination that the Project will not result in any potentially significant adverse environmental impacts.

Ayes: All

Noes: None

Motion Carried

SPR2020-03

A request from Kiatone Pipeline Corporation for site plan review for property located at 550 Meyer Road for construction of a new 200,000 oil barrel storage tank and associated site work.

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

Ayes: All

Noes: None

Motion Carried

Seth Schaefer with Fisher Associates presented the plan for a 200,000 barrel crude oil storage tank on the existing facility, giving the operation a fourth tank. A letter from the NYS DEC has been received along with a letter from the Town Engineer.

Code Enforcement Officer Jeffrey Schieber stated the property is zoned manufacturing; the request is to add another storage tank for oil. The request is zoning compliant and was sent out for coordinated SEQRA review. Letters have been received from the NYS DEC regarding the wetland and are in the process of issuing the required wetland permit and Town Engineer Dave Johnson provided a letter asking to reduce some run-off.

Mr. Schaefer stated on the east side of the property there is a fairly large wetland that will have temporary impacts for relocation of an existing water line. The applicant is in the process of obtaining a nationwide permit with the NYS DEC. All other permits have been granted but will not be granted until the SEQRA is approved from the town.

Mr. Frick questioned the grading of the plan and if a dyke capacity was submitted to the Town Engineer for review. Mr. Schaefer replied it has not been submitted; it is 110% of the capacity of the tank and could be provided.

Mr. Clifford questioned the reduction of the 25 year post development storm event to a 10 year pre-development form. Mr. Schaefer stated that is something that will be attainable.

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

Ayes: All

Noes: None

Motion Carried

Motion by McCabe, seconded by Bebak, to adopt the following resolution issuing a negative declaration with regard to the State Environmental Quality Review Act ("SEQRA") for the proposed project at 550 Meyer Road:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed the Short Environmental Assessment Form ("Short EAF") prepared by the applicant for property located at 550 Meyer Road ("Subject Property"), for construction of a new 200,000 oil barrel storage tank and associated site work (collectively the "Project") and reviewed the Short EAF analyzing the potential for the Project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the identified potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

SPR2020-03 (continued)

WHEREAS, upon review of the Short EAF and other relevant documentation including the project plans submitted by the applicant in connection with the review of the Project, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that preparation of an Environmental Impact Statement is not necessary and that the issuance of a Negative Declaration is therefore appropriate;

NOW THEREFORE, BE IT RESOLVED, that pursuant to 6 NYCRR 617.7(a) the Planning Board does hereby adopt a Negative Declaration with respect to the Project based on its determination that the Project will not result in any potentially significant adverse environmental impacts.

Ayes: All

Noes: None

Motion Carried

Motion by Clifford, seconded by McCabe, to grant site plan approval for property located at 550 Meyer Road for construction of a new 200,000 oil barrel storage tank and associated site work.

Ayes: All

Noes: None

Motion Carried

SPR2020-04

A request from LSC Development Group, LLC for site plan review for property located at 31 North America Drive to utilize parcel for tractor trailer storage.

Motion by Clifford, seconded by Rathmann, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Tammy Wizbeck from LSC Development Group LLC stated the lot at 31 North America Drive is vacant; originally the goal was a build to suite and the applicant had no luck. Great Lakes Business Park is also owned by LCS Development Group and adjoins the property. A tenant, Banfield Trucking, has been renting office space and would like to store their tractor trailers on the property.

Chairman Rathman questioned how many vehicles are expected to be parked on the property. Ms. Wizbeck replied approximately 9 tractor trailers.

Code Enforcement Officer Jeffrey Schieber stated the property is zoned manufacturing and allows the requested use. The property is not located in the Industrial Park, which brings the application before the Planning Board. The lot is stoned and is ready to go. The site plan shows an easement from the power company and the owner has a letter from the power company allowing the trucks to be parked under the power lines. A drainage plan has been submitted and reviewed by Town Engineer Ron Pfeil; there will be no significant runoff as the site has been the same for years. The Town Engineer requests a swale be put in on both sides of the property to protect the adjacent parcels. A permit needs to be applied for with the Highway Department for the second curb cut. There are two easements to be looked at: power lines overhead and an underground gas easement that runs across the front of the

SPR2020-04 (continued)

property. The gas company will not allow any landscaping in the area.

Chairman Rathmann questioned if the access will be off of North America Drive and if there will be fencing for security. Ms. Wizbeck replied the driveway will be off of North America Drive and there will not be fencing as fencing is around the backside of the property.

Ms. Bebak questioned the amount of tractor trailers to be parked and if limiting to 9 would be acceptable. Ms. Wiezbak replied there is enough room for 9 allowing for enough room to turn around and back in and would prefer a limit not be placed.

Chairman Rathmann questioned if the trailers can be kept in the back face of the building. Ms. Wiezbak stated they will not be protruding - the trucks will be along the south face of the building.

Mr. McCabe commented the application states temporary stone parking. Ms. Wiezbak stated she does not see that changing.

Mr. McCabe stated although this is not part of the Industrial Park, does the Industrial Park have any standards that relate to fencing or requirements for parking. Mr. Schieber replied the Industrial Park is scrutinized when they back up to residential properties. The standard is to put up a berm with pine trees. This location is surrounded by industrial properties.

Mr. McCabe questioned paving the lot and how the tractor trailers will be parked. Mr. Schieber stated the lot that exists as it sits for the past 5 years; the trucks would destroy the pavement. Allowing the lot to stay stone alleviates any drainage issues. Ms. Wiezbak stated the tractor trailer will be pulled in, backed in and ordered uniformly.

Motion by Clifford, seconded by McCabe, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Sailer, to grant site plan approval for property located at 31 North America Drive to utilize parcel for tractor trailer storage with the following conditions: 1) placing swales on the east and west border; 2) vehicles to be parked in an orderly manner.

Ayes: All

Noes: None

Motion Carried

2020-02

A request from Douglas Hutter AIA for a special permit for property located at 2884 Ridge Road, being part of Lot No. 157 & 158, changing its classification from C-2 to C-2(S), for service of alcoholic beverages.

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

Ayes: All

Noes: None

Motion Carried

2020-02 (continued)

Code Enforcement Officer Jeffrey Schieber stated this is the existing Mighty Taco property and is currently zoned C-2, the Town of West Seneca requires a special permit for the service of alcohol. The request is for alcohol to be served inside the building. The applicant is before the Planning Board for this board to make a recommendation to the Town Board where there will be another Public Hearing and a vote on the granting by the Town Board.

Mr. Hutter stated many years ago, Mighty Taco in their first store, served beer. This will be beer and wine, only in the store and only single units. There will be no patio or drive through use. Serving beer and wine allows Mighty Taco to gain more use of their dining room and potentially gaining new customers. No changes will be made to the site plan or building. The dining room can accommodate 72 patrons.

Chairman Rathmann questioned the method for controlling only having alcohol is the dining room. Mr. Hutter replied alcohol will only be in use in store. If patrons go to the patio they will be asked to return to the dining room. There is a different liquor license for outside use.

Mr. McCabe questioned if there will be a bar. Mr. Hutter replied there will not be a bar, just standard counter service.

Motion by Clifford, seconded by McCabe, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Clifford, seconded by Frick, to grant a special permit for property located at 2884 Ridge Road, being part of Lot No. 157 & 158, changing its classification from C-2 to C-2(S), for service of alcoholic beverages with the following conditions: 1) No sales of alcoholic beverages via take out service; 2) no exterior patio consumption; 3) no drive through or mobile pickup.

Ayes: All

Noes: None

Motion Carried

2020-03

A request from Guggenheim c/o Bohler Engineering MA, LLC for a special permit for property located at 1940 Ridge Road, being part of Lot No. 296, for a motor vehicle service shop.

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

Ayes: All

Noes: None

Motion Carried

Code Enforcement Officer Jeffrey Schieber stated this is the former Arby's property, the property is zoned manufacturing. This will be a brand new building in the town. The Town of West Seneca regulates any automotive use. The applicant is before the Planning Board for this board to make a recommendation to the Town Board where there will be another Public Hearing and a vote on the granting by the Town Board. All documents including a site plan has been submitted and meet the requirements of the zoning code.

2020-03 (continued)

A representative from Bohler Engineering stated the proposal is for a 3,000 sf service shop and will return if approved for full site plan review.

Mr. McCabe questioned the height of the driveway. The representative stated the back edge of the bill board will be above the drive aisle and there is enough clearance.

Mr. McCabe questioned if there will be automotive sales. The representative stated there will not be - only service shop.

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

Ayes: All

Noes: None

Motion Carried

Motion by McCabe, seconded by Bebak, to grant a special permit for property located at 1940 Ridge Road, being part of Lot No. 296, for a motor vehicle service shop with the following conditions: 1) no sale of automotive vehicles; 2) no collision work.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Rathmann, seconded by Clifford, to adjourn the meeting at 9:27 P.M.

Ayes: All

Noes: None

Motion Carried

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

Town of West Seneca Zoning Planning Board

Address: 299 Leydecker Road

Applicant: DATO Development LLC

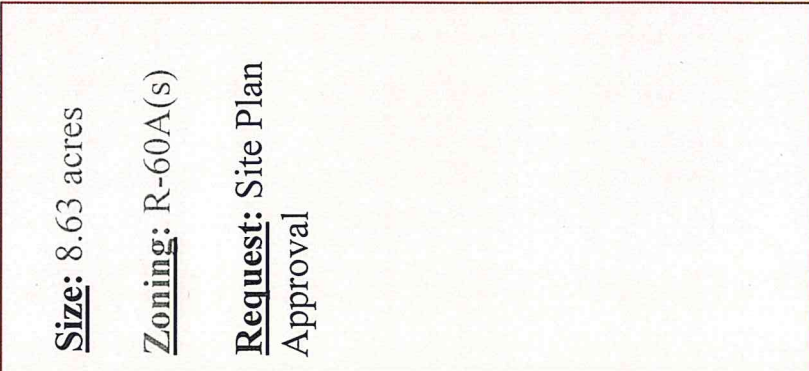
Date: May 14 2020



Size: 8.63 acres

Zoning: R-60A(s)

Request: Site Plan
Approval



Carrubba
Wood
Architects
100 West Seneca Road
West Seneca, NY 11790
Tel: 516.333.1111
Fax: 516.333.1112

PROJECT NAME:
Multi-Family Development
299 Lebacker Road
West Seneca, New York

DATE:
10/2018

PREPARED BY:
Site Improvements for

PROJECT NAME:
Concept Site
Plan

PROJECT NO.:
C-100

SCALE: 1" = 20'



SITE PLAN
SCALE 1" = 20'

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Project Description:

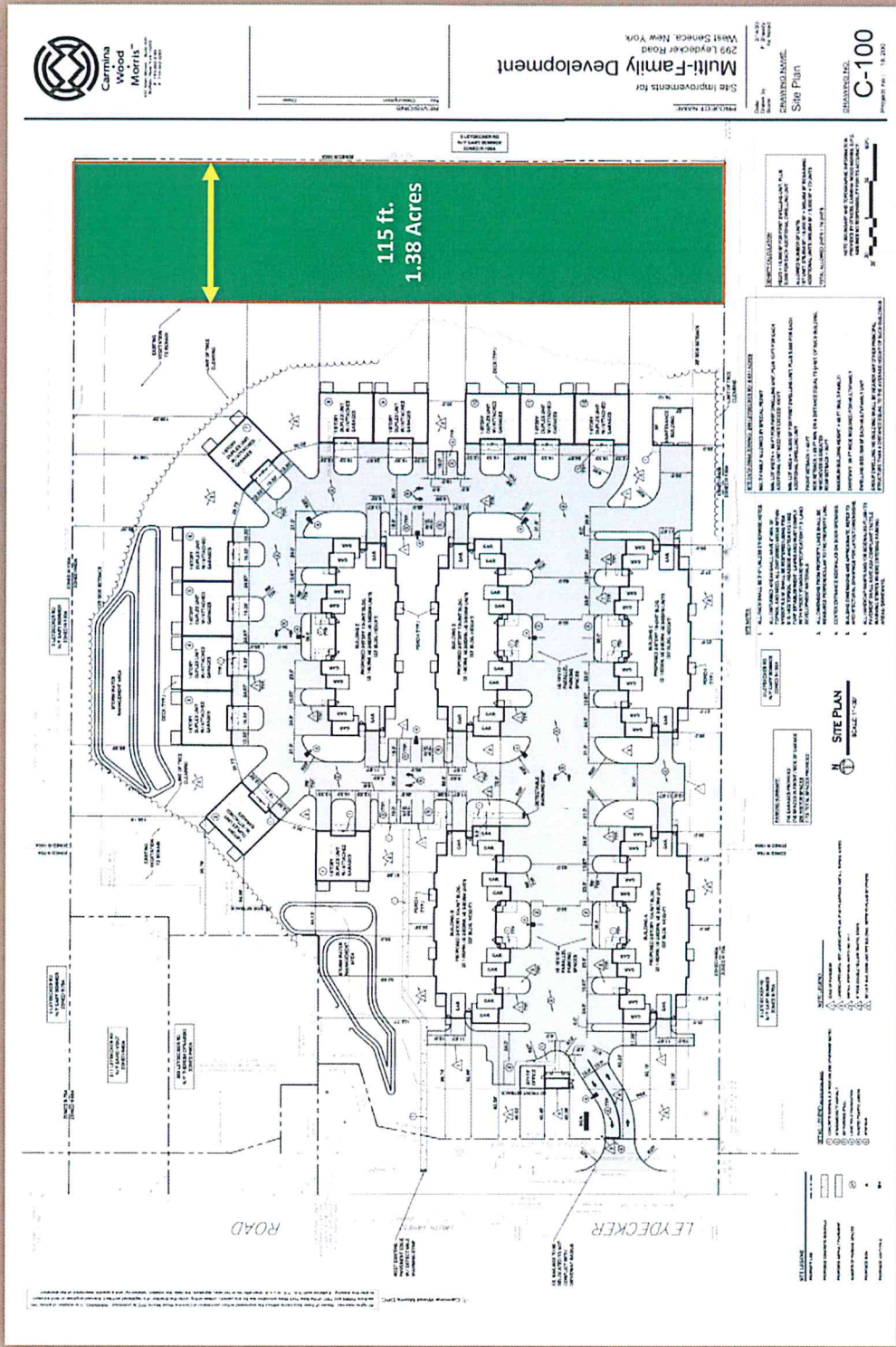
- Residential project consisting of 74 attached multifamily units and related site improvements on the 8.63 acre parcel as depicted on the Site Plan prepared by Carmina Wood Morris DPC
 - Five 2-story buildings with 10-units per buildings
 - 6 one-story buildings with side by side duplex style units (total of 24 units)
- Each of the attached residential units will have 2 parking spaces including an attached garage space.
- 25 parking spaces available for visitors [total of 173 parking spaces].
- During its meeting on December 16, 2019, the Town Board voted unanimously to issue a negative declaration pursuant to SEQRA and to grant a Special Use Permit for the multiple-dwelling project subject to one condition as follows: The easternmost 115 ft. of the Project Site will be Permanent Open Space to be protected via the recording of a Declaration of Restrictions at the Erie County Clerk's Office (1.38 acres of the Project Site).
- The Planning Board recommended approval of the Special Use Permit during its meeting on October 10, 2019

Project Description:

- Site Plan Application with fully engineered plans, etc. filed on March 12th
- On-site stormwater management system to be installed in accordance with the stringent stormwater quality and quantity standards of the NYS Department of Environmental Conservation (“NYSDEC”)
- On July 22, 2019, Gina M. Wilkolaski, P.E., Traffic Safety Engineer, issued a letter on behalf of the ECDPW stating as follows: “After review of the TIS, this Department has no further concerns with regard to Leydecker Road.”
- On September 5, 2019, Josalyn Ferguson, Ph.D, of the New York State Office of Parks, Recreation and Historic Preservation (“SHPO”) issued a letter stating as follows: “[I]t is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.”
- On September 13, 2019, the NYSDEC approved the DSCA - On September 16, 2019, Steve Tanner of Clark Patterson Lee approved the DSCA
- The Project Sponsor will be required to make an Inflow/Infiltration payment of \$17,556.00 to the Town based on four times the measured peak sanitary sewer flow
- Engineered plans and SWPPP with Engineer’s Report prepared by Carmina Wood Morris DPC have been approved by David Johnson of Clark Patterson Lee

Site Plan

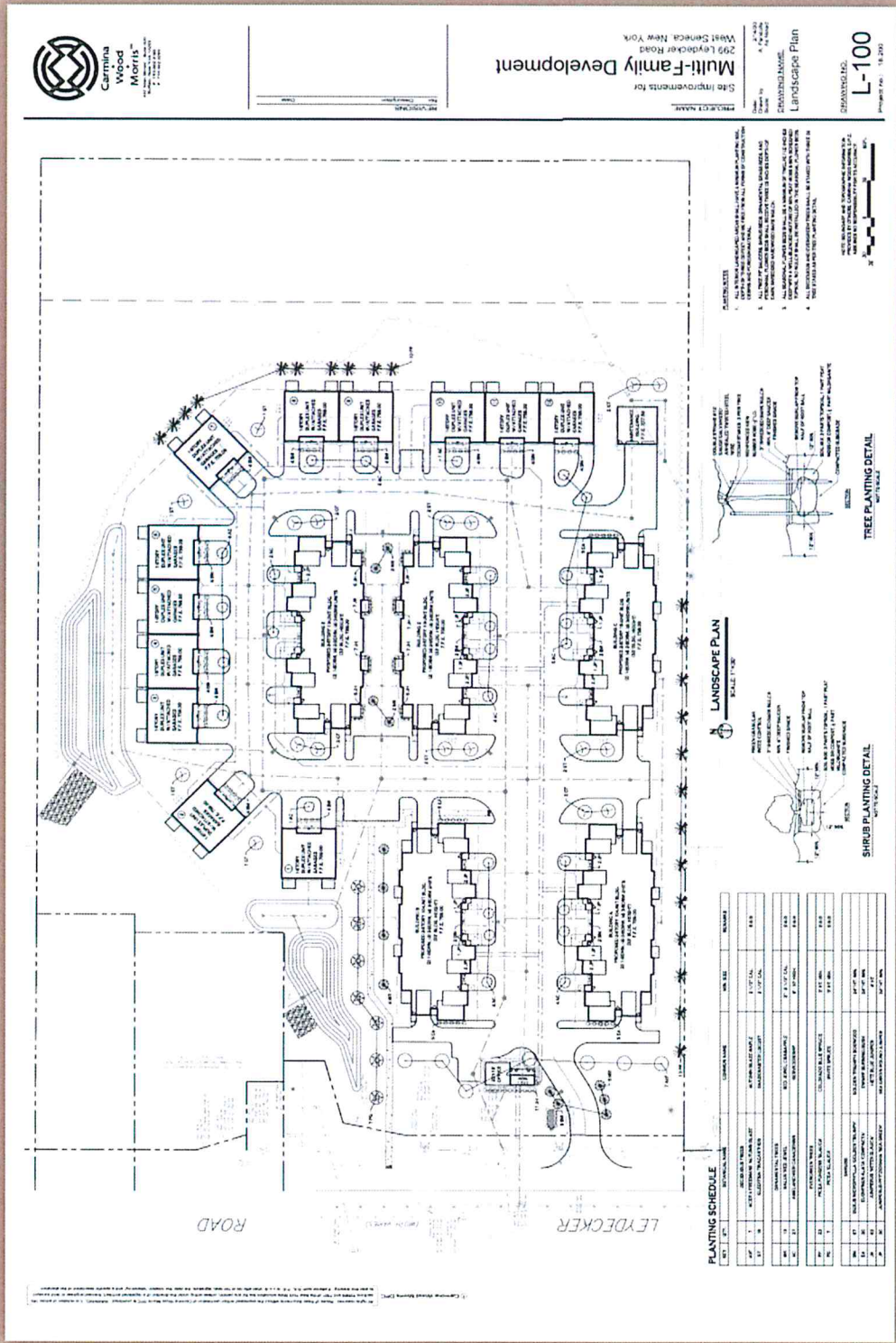
- Declaration of Restrictions for Permanent Open Space recorded on May 5th



Landscape Plan

95 Trees [6 types]

191 Shrubs [3 types]





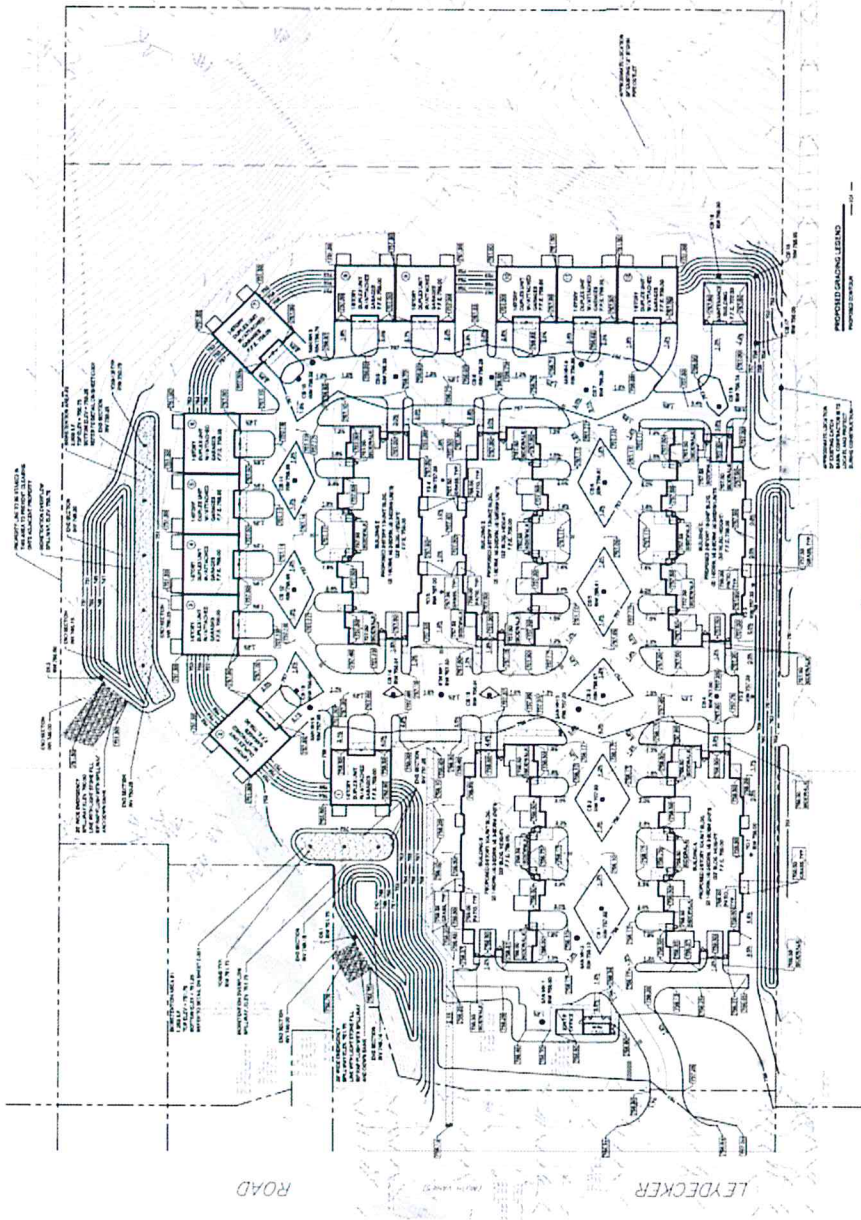
Carolina
Wood
Morris

Approved and Engineering License No. 44220
Professional Engineer
Name

Site Improvements for
Multi-Family Development
299 Leydecker Road
West Seneca, New York

Scale: 1" = 40'-0"
Drawing Name:
Grading Plan

Sheet No.:
C-200
Project No.: 18-200



PROPOSED GRADING LEGEND

PROPOSED GRADE	---
PROPOSED CURB	---
PROPOSED DRIVEWAY	---
PROPOSED SIDEWALK	---
PROPOSED UTILITY MARK	---
PROPOSED CURB CUT	---
PROPOSED DRIVE CURB	---

GRADING PLAN
SHEET C-200

Carolina Wood Morris, Inc. is a registered professional engineering firm in the State of New York. License No. 44220. The design of this project is based on the information provided by the client. The client is responsible for the accuracy of the information provided. Carolina Wood Morris, Inc. is not responsible for the accuracy of the information provided. The design of this project is based on the information provided by the client. The client is responsible for the accuracy of the information provided. Carolina Wood Morris, Inc. is not responsible for the accuracy of the information provided.

Grading Plan

Section 102-12B of the Town Code – Site Plan Criteria:

- 1. Conformance with this chapter and other adopted Town 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 project's compliance with grading and drainage requirements of the Town;
- 4. The project's compliance with the Town's Flood Damage Prevention Law;
- 5. The general layout and design of buildings, lighting, signage, open space and development features consistent with reasonable planning principles;
- 6. 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;
- 7. The provision and protection of pedestrian movement on the site and coordination of pedestrian movement on adjoining properties and the street system;
- 8. The location, design, layout and adequacy of parking, loading and stacking areas, including the provision of opportunities for handicapped parking;
- 9. Provision of landscaping, screening and buffers to complement development and protect adjacent uses and public rights-of-way from unsightliness, noise, glare and other nuisances. Such elements shall also be used to promote the availability of green space in nonresidential development and recreation space in residential development to avoid a continuous paved or built environment;
- 10. Adequate provision of drainage and stormwater management facilities;
- 11. Adequacy of sewer and water facilities, fire protection and conformance with Town regulations for the provision and construction of those services;
- 12. Where appropriate and applicable, 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; and

Conclusion:

- Requesting Site Plan Approval
- Questions...