

SPR2020-06 (continued)

Sean Hopkins of Hopkins, Sorgi & McCarthy PLLC, Anthony Candolfi project manager from Carmina Wood Morris were in attendance along with the petitioner Mr. Brian Young from Young Development, Inc. Mr. Hopkins gave a presentation with the following key points:

- The property directly adjacent is a retail - owned by Mr. Young; a self storage facility is directly to the right; the upper portion is a multi family project and off-site storm water
- Has the proper zoning of C-2(s)
- Project consists of three (3) two-story, eight-unit apartment buildings with detached garages; each unit is a 2 bedroom with a price range of \$1250 - \$1500 per month
- Plan is for 50 parking spaces which exceeds the zoning code requirement
- Previously the Planning Board unanimously recommend the rezoning; the Town Board issued a negative SEQR declaration and approved the rezoning and special use permit; the Zoning Board of Appeals unanimously approved two variances
- Fully engineered plans, an engineers report and SWIF have been submitted; all technical concerns have been addressed with a letter of approval from Town Engineer Dave Johnson
- The variances approved were for west side setback and for approval of 24-units versus 18-units
- Storm water will be onsite per the stringent DEC storm water quality and quantity standards
- A landscaping plan has been submitted showing 21 trees of 4 different species and 133 shrubs
- The lighting plan shines back against the building, no spillage will be on any adjacent parcels

Chairman Rathmann stated under the zoning code §120.2 all trees adjacent to parking areas are to be major disingenuous trees - not ornamental, 2½" in caliber along with 4 trees plus 1 for every 8,000 sq ft of building. Mr. Candolfi stated the building is approximately 12,000 sq ft. Mr. Rathmann stated there should be 5 trees per building, if adjacent to the parking they should be disingenuous trees. Mr. Young stated he can adjust the landscaping plan; everything he has planned for beautifies, provides privacy and is long lasting.

Chairman Rathmann questioned if the middle building was ADA accessible; there is adequate parking but no accessible parking in the middle. Mr. Hopkins stated if ADA requirements need to be complied with they will make the modification.

SPR2020-06 (continued)

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

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by McCabe, to adopt the following resolution issuing a negative declaration with regard to the State Environmental Quality Review Act ("SEQR") for the proposed project at 1220 Southwestern Boulevard:

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 1220 Southwestern Boulevard ("Subject Property"), for the construction of a 24 unit multifamily project including but not limited to the three proposed two-story buildings, parking spaces, landscaping, a storm water management system to comply with stringent storm water 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 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 of the Subject Property, has determined the 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 617.79(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

SPR2020-06 (continued)

Motion by Frick, seconded by Bebak, to grant site plan approval for property located at 1220 Southwestern Boulevard, for construction of three (3) two-story, eight-unit apartment buildings with detached garages with the following conditions: 1) submittal of updated landscaping plans that addresses §120.2 and approved by the Code Enforcement Officer; 2) Handicapped parking is addressed; 3) parking area contains 5% green space.

Ayes: All

Noes: None

Motion Carried

2020-04

A request from Sutton Architecture for a special use permit for property located at 555 Orchard Park Road, being part of Lot No. 296, changing its classification from M-1 to M-1(s), for the service of alcohol.

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

Ayes: All

Noes: None

Motion Carried

Dave Sutton from Sutton Architecture stated his plans for a redevelopment project at 555 Orchard Park Road:

- The property is on approximately 4 acres of land with a 17,000 sq ft building that has been vacant for several years
- The plan calls for the front third of the building to be converted to a restaurant; the middle into a brewery; and the back eventually into a banquet hall.
- The development will take place in phases – the building will be redeveloped first with a portion of the property
- Parking will be resurfaced and re-stripped with curb landscaping
- The building will hold the existing footprint along with a beer garden and outdoor seating

Mr. Clifford questioned the hours of operation. Mr. Sutton stated the hours of operation will be Monday – Thursday from 10:00 AM until midnight and Friday and Saturday from 10:00 AM – 2:00 AM. Phase 3 has a prospective tenant with separate hours.

Mr. McCabe questioned if the special permit is just for the brewery and restaurant. Mr. Sutton stated that is correct and is here today for approval for the consumption of alcohol.

2020-04 (continued)

Ms. Bebak questioned the time frame for phase 1. Mr. Sutton stated the property is under contract and contingent upon appropriate town approvals. Construction should take approximately 6 – 9 months and opening within 1 year.

Code Enforcement Officer Jeffrey Schieber stated the applicant is before the board for approval for the consumption of alcohol; any residential potential uses may require a return to the Planning Board for a special use permit.

Mr. McCabe questioned the limit to the area that a structure can have a patio. Mr. Schieber stated there is no limit. Approval is sought through the Zoning Board of Appeals and scrutinized during variance approval.

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

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by McCabe, to grant a special use permit for property located at 555 Orchard Park Road, being part of Lot No. 296, changing its classification from M-1 to M-1(s), for the service of alcohol in the area designated as Phase 1 on the concept plan submitted by Sutton Architects on May 22, 2020 which include the building currently on the premises and any adjacent patio areas.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Bebak, seconded by Clifford, to adjourn the meeting at 7:40 P.M.

Ayes: All

Noes: None

Motion Carried

AMY M KOBLER
TOWN CLERK/PLANNING BOARD
SECRETARY