

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

WEST SENECA PLANNING BOARD
Minutes #2020-06
July 9, 2020

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 George Clifford James Frick Dale McCabe Raymond Nalewajek Eric Sailer Jeffrey Schieber, Code Enforcement Officer Tina Hawthorne, Town Attorney
Absent	-	Margaret Bebak

APPROVAL OF PROOFS OF PUBLICATION

Motion by McCabe, seconded by Clifford, 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 #2020-05 of June 11, 2020

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

SPR2020-08

A request from JSEK West Seneca for a site plan approval for property located at 1343, 1347 & 1353 Union Road and 0 Freemont Avenue for construction of a car wash facility.

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

Ayes: All

Noes: None

Motion Carried

Sean Hopkins of Hopkins, Sorgi & McCarthy PLLC was present on behalf of the applicant. Mr. Hopkins stated last year the project received site plan approval from the Planning Board. The NYSDOT had concerns with there being 2 curb cuts along Union Road. The NYSDOT has become strict with their controlled highway access policy and has requested the applicant revisit the plan and go to 1 curb cut. Previously, some Planning Board members expressed concerns over the exiting of the car wash, the northern curb cut, the dimensions of the angled parking spaces no. 1 – 6, along with drainage and grading.

A new site plan is being presented with the following changes: 1) the car wash building has been moved further north; pulling it back from the Union Road right of way; 2) elimination of a curb cut in compliance with the NYSDOT controlled access highway standards - this also eliminates the awkward movement of exiting the car wash; 3) updated colored renderings with a screening wall located between the edge of the pavement and the sidewalk and landscaping.

Mr. Nalewajek stated the rendering shows 2 proposals for columns and questioned which design should be considered. Mr. Hopkins replied the applicant is offering both and asking for input.

Mr. Nalewajek commented that parking spot 4 has an entrance leading through the car wash and into a back office; questioning if that is public access. Mr. Spino replied the employees will park in the employee parking lot along the side of the building; a sidewalk the length of building will be used to get to that location.

Mr. Clifford questioned if there will be signage directing patrons to the exit and/or vacuums. Mr. Spino replied there will be signage.

Chairman Rathmann questioned how the vacuums will look from Union Road and suggested shielding the structures. Mr. Hopkins stated the vacuums have not changed from last year and are identical to the Royal Car Wash vacuums used at other facilities. Mr. Spino stated a piece of privacy fence can be placed to block the view.

Mr. Nalewajek questioned if an elevated plan could be submitted to see exactly what the view from Union Road is and if there was any sound insulation in the vacuum stations for the residential area. Mr. Hopkins replied previously, the Planning Board was provided the technical standards of the vacuum stations and will provide it again.

Mr. Frick questioned if there was a need for so many vacuum stations as it appeared excessive. Mr. Hopkins stated the industry is highly competitive and there is no longer a charge for this service. This is an amenity which keeps the business competitive. Mr. Frick expressed concerns about the stacking distance for customers to get in and out; if less vacuum stations were installed it would create a little more queuing and green space to screen better.

Mr. Frick questioned if the second story portion is functional or just architectural. Mr. Spino replied the second story is architectural. Mr. Frick questioned if the second story could be moved forward towards Union Road. Mr. Hopkins replied the area must be above the actual car wash; this feature has been added in recognition of the Union Road corridor.

Mr. Frick stated he prefers the full length version of the stone fence but one section may need to be broken up to meet requirements. Mr. Hopkins stated they are fine with that.

Mr. Sailer stated he prefers the wall that goes further through, the roof as opposed to the pergola and the exit driveway being pushed back a space or two to open some green space to allow shielding of the vacuums. Mr. Sailer questioned the color of the vacuums and suggested a neutral color. Mr. Sailer expressed concerns with the free vacuum stations and access for just vacuuming creating issues with the traffic flow. Mr. Spino explained most people using the vacuums have a monthly subscription and first enter the car wash. The way the check-in is set up attempts to eliminate people from just using the vacuums. Mr. Hopkins stated generally speaking this is subscription based.

Mr. McCabe noted the parking plan submitted requires a variance from 15 to 13 parking spots; prior parking was over 20 and questioned if there an explanation for the reduction in parking. Mr. Hopkins responded the applicant was never comfortable with the need for the previous number of parking spaces and tried to avoid the need for a variance; the previous plan had angled parking spaces and the Planning Board questioned if the spaces were usable. Although the parking requires a variance, it is more than adequate for the facility.

Mr. Nalewajek questioned the intended occupancy from a workers standpoint. Mr. Spino replied slower hours will require 2 – 3 employees and peak hours will require up to 5 employees.

Mr. Clifford stated to the west of the employee parking, the area is zoned C-1 and inquired if that was Mr. Spinos property. Mr. Hopkins replied that is not Mr. Spino's property. A little portion of the adjacent property will be given to the neighbor in exchange for the release of parking easement. This current plan reflects the property lines. Mr. Clifford questioned where snow will be placed. Chris Woods from Carmina Wood Morris stated the snow can be placed in the storm water management area, there are more parking spaces than really needed and a snow storage area will be along the back in order to plow the lot.

Chairman Rathmann questioned if the garage was gone that was along the north side. Mr. Spino noted although the garage is still there it is off the property line and not his garage. The second property line being shown is going to the neighbor.

Chairman Rathmann noted there is no fencing along the north, west and south property lines. Mr. Hopkins stated there is dense landscaping along the lines. Chairman Rathmann suggested removing the landscaping and replacing it with fencing. Mr. Hopkins explained the landscaping is consistent with what was originally shown to the Planning Board. Mr. Sailer stated he likes where the fence is and does not wish to see fencing come to the sidewalk on the north or south side; possibly placing fencing in front of employee parking would be a good idea.

Chairman Rathmann discussed moving the front wall back to place some low level shrubs in the front to provide some green space.

Ms. Bebak provided an email to the Planning Board with the following points:

- new site plan helps to improve the flow of traffic and reduces the number of curb cuts
- new plan provides for better stacking of vehicles - thus cutting down any overflow into Union Road
- vacuum stations are more centrally located and will produce less noise for the surrounding residents
- favor the image (600-103) that shows a brick or stone wall with additional architectural details along the entire front of the building
- the addition of the stone wall helps to create the feeling of a smaller front set back
- the rendering that includes the full stone wall helps to create the village/town center image that we are trying to encourage
- the use of materials that coordinate with the Library/Community Center also help to create visual continuity for the Town Center

Code Enforcement Officer Jeffrey Schieber stated the 2 fence panels, for the short section, across from Freemont should be operable for the Fire Department.

Mr. Nalewajek suggested the addition of lighting along the wall.

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

Ayes: All

Noes: None

Motion Carried

SPR2020-09

A request from Life Church Buffalo for site plan approval for property located at 4928 Seneca Street for expansion of church and parking lot.

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

Ayes: All

Noes: None

Motion Carried

Jason Utzig, P.E. of C & S Engineers, Inc. along with Loren Sperry, Executive Pastor of Life Church were present before the Planning Board. Mr. Utzig stated Life Church received Planning Board approval for a previous site plan that included a single story 13,400 sq ft building addition along the west side of the church, parking improvements along the front and rear of the parcel, underground storm water retention system and landscaping. Due to unforeseen costs, the owner has asked Mr. Utzig's firm to revise the site plan; revisions include:

- the building length has been reduced to 11,900 sq ft
- underground retention and treatment system have been eliminated and replaced with a storm water wet pond at the rear of the property
- reduced and revised the rear parking lot to accommodate one way traffic along with angled parking for better traffic flow
- parking requirements are 277 spaces; previously 345 were submitted; new plan calls for 277 spaces including 8 ADA compliant spaces and 46 future spaces in the front of the site
- storm water treatment on site will be provided in the bio-retention basins and wet pond at the rear of the site
- storm water will continue to discharge into the 12" culvert on the west side of the property
- The Town Engineer reviewed the site plan and swif and recommended approval

Mr. Clifford questioned if the pond will be where the current baseball diamond is located. Mr. Utzig replied it will be placed where the diamond is.

Chairman Rathmann stated the future parking area has a drainage swale east and west and questioned if the swale will stay. Mr. Utzig stated this will be picked up with a storm water pipe and the swale will go away. This is shown on the utility plan.

Chairman Rathmann noted the landscape plan is required to have shade trees in the parking area with a 2 1/2" caliber and the plan is currently showing 1". The Environmental Commission has advised they would like to see a better mix of trees. Chairman Rathmann also advised adding curbing to the islands.

Code Enforcement Officer Jeffrey Schieber stated the he spoke with the Town Engineer and everything necessary was accounted for now and for the future.

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

Ayes: All

Noes: None

Motion Carried

Motion by Clifford, seconded by McCabe, to grant site plan approval for property located at 4928 Seneca Street for expansion of church and parking lot based on engineering approval with the following condition: 1) shade trees in the parking area have a caliber of 2 ½"; 2) trees must be a variety of species.

Ayes: All

Noes: None

Motion Carried

2020-05

A request from Montgomerys Service for a special use permit for property located at 101 and 105 Center Road and Seneca Street parcel, being part of Lot No. 127, changing its classification from C-2 to C-2(S), for automotive use.

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

Ayes: All

Noes: None

Motion Carried

Al Montgomery from Montgomery Service was present at the meeting. Code Enforcement Officer Jeffrey Schieber stated the property is the former Union Concrete site. In the past there was an issue with zoning, the initial thought was the portions along Center Road were zoned commercial and the portion along Seneca Street was zoned residential. After investigating, it was found all the parcels are zoned commercial. The parcel along Seneca Street with the residential house has been split off with a free standing lot with a residential house and the remainder of the lot is included in this proposal. All the properties are zoned C-2 and a special permit is required for any automotive use.

Mr. Montgomery stated the business is a towing, truck and auto repair business; he is open regular business hours but on call 24 hours per day 7 day a week. Towing is performed for the Town of West Seneca and West Seneca Police Department as a NYS Thruway Authorized Tower.

Mr. Sailer questioned the towing process. Mr. Montgomery replied cars and trucks will be towed to the facility, sometimes during the night. The length of time is dependent upon the situation.

Mr. McCabe questioned if there will be a designated area to store vehicles, will collision work be performed and explained restrictions may be put on the approval. Mr. Montgomery stated trucks would be along the back fence and impounded cars would be up front and does not perform collision work. Sometimes people do not retrieve impounded cars and he follows the guidelines on waiting periods. There will be no sale of motor vehicles.

Mr. Clifford requested clarification on the application stating auto and truck repair. Mr. Montgomery explained collision is body work and painting of vehicles; he performs mechanical repairs. There is no paint booth.

Mr. Frick expressed screening concerns alongside the residential properties. Mr. Montgomery stated he is in the process of buying the house and would put up a privacy fence along residential borders.

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Mr. Sailer questioned the intent of the house after purchase. Mr. Montgomery replied it will continue to be used as a residence with the stipulation this is what is next door.

Chairman Rathmann questioned if there is a plan for the use of each building. Mr. Montgomery stated one building will be used as an office, one for auto and truck repair and the others will be utilized in other ways such as storage.

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

Ayes: All

Noes: None

Motion Carried

Motion by McCabe, seconded by McCabe to recommend to the Town Board approval of the request of Montgomery's Service for a special use permit for property located at 101 and 105 Center Road and Seneca Street parcel, being part of Lot No. 127, changing its classification from C-2 to C-2(S), for automotive use with the following restrictions: 1) no collision work; 2) no auto sales; 3) proper screening along the residential zoned area.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Clifford, seconded by McCabe, to adjourn the meeting at 8:15 P.M.

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