

SPR2021-05 (continued)

- Signage exists on site warning children to not go in the creek and will remain.
- The pond is sized for the entire site, not just the disturbed area. The current pond was undersized and in the flood plain. The pond is now outside the flood plain as requested by the Town Engineer.
- The stormwater quality and quantity have been adjusted; a backflow check valve will be at the end of the pipe at the creek. The pond is sized to not outlet at all; in the event of a 100-year flood it will hold the storm. The size is based on the elevation of the existing pond water level.
- All applications have been turned into the NYSDEC and Army Corp of Engineers.
- 25-year storm has been added and will be reduced to the redeveloped 10-year rate. This can be updated based on the agreement of the design water elevation.
- TOC's are shown in Section 5 of the plans.
- The outlet invert was set by the existing pipe at the location of the new wall of the pond.
- To meet RRV the infiltration trenches are the SMT trenches within the turf field; the minimum .5"/hr. was used. The WQv is all being met within the pond with no infiltration factored in.
- The site has dual soil rating; the calculations were used with a D soil and added in a safety factor to store more than necessary.

Ms. Bebak questioned if wetland delineations were being done. Ms. Belding stated the wetland delineations are part of the DEC process. The DEC biologists will be on site to determine the location and nature of the wetland. Mr. Osbourne stated the wetland is the oxbow and the DEC shows a 100' setback; DEC regulations would be followed. Currently the project is not in the wetland, making the delineation informational and would likely not change any requirements.

Mr. Clifford referred to the baseball diamonds and questioned the type of turf. Mr. Vaillancourt stated the JV baseball field has natural grass for the outfield and synthetic grass in the infield. The varsity field will have the entire field as synthetic grass.

Chairman Rathmann questioned if an area is designated for a tennis court. Mr. Osbourne stated the area for tennis will be natural grass and asphalt.

Chairman Rathmann referred to the area within the flood plain and questioned the turf. Mr. Vaillancourt stated this is a grass area used for practice, not for official games. Chairman Rathmann questioned if the area would have to be regraded to accommodate future needs. Mr. Osbourne stated there is a reasonable pitch and there is no intention to regrade.

Mr. Frick stated the SHPO response is still under review. Mr. Vaillancourt stated the contactor from the 2007 project has stated there was no artifacts discovered during the project. There was no follow through with Phase 3 in 2007. Mr. Frick stated the new area is in an area that was not previously disturbed and there is the potential to find something. Mr. Vaillancourt stated within a day or two they should have the letter obtained stating there are no artifacts.

Chairman Rathmann stated he understand SHPO's concerns as the land was previously Seneca Nation territory. Archaeological findings have been found down the road from the project.

SPR2021-05 (continued)

Mr. Nalewajek questioned if the Town Engineer had a time frame for reviewing the new submission. Code Enforcement Officer Jeffrey Schieber stated some of the concerns were missed on the drawings' specifically item 2 and 4. The Town Engineer's initial letter stated he was comfortable with the Planning Board issuing an approval contingent on the five items.

Mr. McCabe questioned the timeline for the baseball diamonds. Matthew Carver from Canisius High School stated the plan was for construction to begin in August with project completion by November. The intention is to use the field next spring.

Mr. McCabe noted a letter was submitted from resident Dan Warren.

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

Ayes: All

Noes: None

Motion Carried

Motion by Clifford, seconded by Nalewajek, to table site plan approval for property located at 2885 Clinton Street for construction of an athletic complex with all related site improvements based on: 1) there is no immediate need to begin construction; 2) archeology findings, Town Engineer approval, and wetlands delineation have not been granted/completed.

On the question, Chairman Rathmann stated this is a Type 1 action according to SEQRA due to the alteration of more than 10 acres of property. In most instances this would require an Environmental Impact Statement. In reviewing the submitted long form, this would only be required if there is a major disturbance/activity that would impact the environment. Chairman Rathmann stated it was his belief this is not the case. A response would be required on the wetlands delineation, SHPO, and other items before the Planning Board may make a positive or negative declaration.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

SPR2021-006

A request of Tritec Construction of WNY, Corp for site plan approval for property located at 2111 Clinton Street for upgrades to existing gas station including installation of a 24' x 96' (4) dispenser canopy and 16,000-gallon split 12,000/4,000-gallon double wall underground fuel tank with all related site improvements.

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

Ayes: All

Noes: None

Motion Carried

A representative from Tritec Construction of WNY, Corp stated the property is currently a gas station and the application is to upgrade the canopy along with underground storage tanks. The tank is a single wall and would be brought up to date with a double wall.

SPR2021-006 (continued)

Code Enforcement Officer Jeffrey Schieber stated currently there are two gas pumps with a canopy. The proposal for the new canopy is set back farther from the road. The town code imposes a 40' building setback. The alteration and reconfiguration of the site also adjusts the parking and drive lanes. The parking shown satisfies town code requirement and the parcel is properly zoned. After hearing the Planning Board's initial comments and concerns, a variance for the 40' setback must be obtained from the Zoning Board of Appeals to return to the Planning Board for official site plan approval.

Chairman Rathmann noted the setback to the edge of the canopy set post. Handicapped parking requires an 8' access aisle and appears it needs to be widened, possibly eliminating one parking space. C-2 zoning requires parking be 10' from the property line. Mr. Schieber stated the entire site is almost paved to the property lines. During the variance process, the application is submitted to the NYSDOT for review.

Chairman Rathmann stated any parking adjacent to a residential property must be screened; there needs to be an evergreen fence along the parking line and should be shown on the site plan.

Mr. McCabe questioned if the existing canopy has a variance. Mr. Schieber stated this is unclear, existing records do not show one. The goal is to make existing problems right and there is the formality of the 40'.

Mr. McCabe commented on a vacuum in the back and questioned if this would be removed. Ms. Bebak replied this looks to be a utility pole or a phone booth. The representative from Tritec Construction of WNY, Corp stated this was an old survey with an overlay.

Chairman Rathmann questioned if the information on the survey was correct. Ms. Bebak noted the survey is from 2020. The representative from Tritec Construction of WNY, Corp stated this was provided by the customer. The portion showing grass is all blacktop now. The important part, the tanks and canopy are correct.

Mr. Frick commented on the three existing tanks and the location of the new tanks: one tank to be directly in the same location and the remaining immediately adjacent. The representative from Tritec Construction of WNY, Corp stated there are three underground storage tanks and it is a different technology with the double wall.

Mr. Nalewajek asked where the cuts would be in the existing hard top for the excavation. Mr. Frick requested the future site plan show where the excavating will occur with the restoration; how much would be excavated and filled back in.

Chairman Rathmann stated there may be a need for a grading plan. There is a catch basin on site and once construction is done questioned where the water would go. The representative from Tritec Construction of WNY, Corp stated the grading would remain the same.

Chairman Rathmann stated he would like updated drawings to reflect what is currently on site.

Chairman Rathmann questioned if this would be reviewed by the Town Engineer. Mr. Schieber stated this would not go to the Town Engineer. After a variance is secured, the applicant would return to the Planning Board.

Mr. Clifford questioned if a 3-tank basin would be added. The representative from Tritec Construction of WNY, Corp stated the new tanks will replace the existing in the same direction. Mr. Clifford requested updated plans due to the excavation that will take place on the site.

SPR2021-006 (continued)

Mr. McCabe noted this evening's meeting was to get the concerns of this board and move on with the variances and then return for site plan approval. This project is an improvement regarding the current conditions, and it does not appear to be excessive with what is being done. Mr. McCabe recommends obtaining a variance and upon return have answers to the site plan questions and concerns.

Mr. Sailer agreed with Mr. McCabe and stated a new detailed survey should be completed.

Chairman Rathmann stated after removing tanks, excavation for new tanks, pad, and gas tanks removal, approximately $\frac{3}{4}$ of the site will be disturbed and expressed concerns with the grading.

Mr. Sailer stated the Planning Board agrees this project will better the site. The Planning Board would like to see the project on paper to better understand - new site plan, excavation, shots of existing trees, fence, parking, etc. Chairman Rathmann concurred with Mr. Sailer.

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

Ayes: All

Noes: None

Motion Carried

Motion by McCabe, seconded by Clifford, to table site plan approval for property located at 2111 Clinton Street for upgrades to existing gas station including installation of a 24' x 96' (4) dispenser canopy and 16,000-gallon split 12,000/4,000-gallon double wall underground fuel tank with all related site improvements to allow the applicant to obtain the necessary variances.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Clifford, seconded by Frick, to adjourn the meeting at 8:12 P.M.

Ayes: All

Noes: None

Motion Carried

AMY M. KOBLER
TOWN CLERK/PLANNING BOARD SECRETARY