

Chairman Rathmann called the meeting to order at 7:00 P.M. followed by the Pledge of Allegiance.

**ROLL CALL:**

Present - Chairman Rathmann  
Margaret Bebak  
James Frick  
Dale J McCabe  
Raymond Nalewajek  
Jeffrey Schieber, Code Enforcement Office

Absent - George Clifford  
Eric Sailer  
Tina Hawthorne, Town Attorney

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**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 McCabe, seconded by Frick, to approve minutes 2021-06 of June 10, 2021.

Ayes: All                                      Noes: None                                      Motion Carried

**OLD BUSINESS**

**TABLED ITEMS**

Code Enforcement Officer Jeffrey Schieber provided the following updates on tabled items:

**SPR2021-05**

A request from Brad Vaillancourt c/o Canisius High School for site plan approval for property located at 2885 Clinton Street for construction of an athletic complex with all related site improvements.

The applicant has stated they have not secured a meeting with SHPO.

**SPR2021-06**

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.

The Zoning Board of Appeals tabled the variance request at the June meeting. The variance must be secured before the Planning Board may grant site plan approval.

**SPR2021-08**

A request from Alexander Suffoletto for site plan approval for property located at 220 Center Road for construction of free-standing drive-up café.

The applicant has been providing plan changes to the Code Enforcement Office. The applicant must appear before the Zoning Board of Appeals prior to site plan approval.

**SUBDIVISION REQUEST**

A request from Nexgen Development II, LLC for a forty-four (44) lot, single-family home subdivision extending from John Alex Drive to Reserve Road.

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

Ayes: All

Noes: None

Motion Carried

Peter Sorgi of Hopkins Sorgi and McCarthy, LLC and Anthony Pandolfi, project engineer from Carmina Wood Morris presented on behalf of the applicant and provided the Planning Board members with updated plans that include the following changes:

- ✓ The builder of the subdivision is Marrano Homes
- ✓ The tree survey has been completed and submitted. Trees will be added to bring the tree count above what is required by Town Code. Trees will be placed to screen the two neighboring properties. A portion of the sidewalk has been removed to place trees and prevent any maintenance issues.
- ✓ Stop signs have been added to alleviate traffic concerns

Mr. Pandolfi referred to the request to curve the road and stated this was not able to be accomplished. Town Code requires a center line to center line offset of 125' minimum. Due to the width of that portion of the property this was not able to be done.

Mr. Sorgi explained trees were placed where they would not impede the drainage of properties.

Chairman Rathmann referred to the grading plan and questioned if the lower right corner was adjusted. Mr. Pandolfi responded the lowest point on the property does not allow water to get to the storm water management system. The plans show a small portion in the rear lot that will have less run off than is there currently.

Chairman Rathmann questioned the runoff from the upper left detention to the adjoining property. Mr. Pandolfi stated the adjoining parcel is owned by the town and there should not be any easement requirements.

Mr. Schieber stated new developments now receive an overlay district through the tax assessment. The builder attempts to make the area aesthetically pleasing; once building stops, the areas are usually not maintained. The town now creates an overlay district in which the parcels who utilize the storm retention ponds pay for them and the town maintains the property. Mr. Schieber will confirm the timeline for ownership.

Chairman Rathmann stated the properties on John Alex Drive discharge onto a portion of the property and questioned if the site could be responsible for discharging the water coming from adjoining properties. The area along the back is like a swamp with no drainage from John Alex Drive properties; each property looks to have a

**SUBDIVISION REQUEST** (continued)

yard drain. Mr. Pandolfi illustrated the area where each lot has rear yard drainage to pick up the water; this is accounted for in the design. Mr. Sorgi stated requiring rear yard drainage after the fact is hard to enforce. The extra drainage will be calculated in at the engineering phase of the project.

Chairman Rathmann questioned if any trees were able to be salvaged. Mr. Pandolfi stated this was tough to do because of the rear yard drainage and the pipes. Trees will be kept in the front of the lots if able.

Mr. Nalewajek questioned if an overlay with properties and the tree survey could be provided. Mr. Sorgi stated this could be provided with the fully engineered stage of the project. Chairman Rathmann suggested letting the property owners decide on existing trees.

Mr. Frick questioned if there will be any fencing along the property lines. Mr. Sorgi stated it was decided to go with trees. In the next phase if a neighbor would prefer a fence, the applicant would be willing to discuss this. Deed restrictions will be placed by Marrano Homes.

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

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Frick, to approve the concept plan as presented in the site plan and landscape plans presented today.

On the question, Mr. McCabe stated it should be noted that this allows the applicant to move forward with engineering.

Motion by Bebak, seconded by McCabe, to amend the motion and approve the concept plan as presented in the site plan and landscape plans presented today noting, the approval allows the applicant to move forward with engineering.

Ayes: All

Noes: None

Motion Carried

**ADJOURNMENT**

Motion by McCabe, seconded by Bebak, to adjourn the meeting at 7:24 P.M.

Ayes: All

Noes: None

Motion Carried

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