

NEW BUSINESS

2021-02

A request from Albert Hassan for a special use permit for property located at 5190 Seneca Street, for redevelopment of existing 1,190-sf building for use as an auto detailing shop.

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

Ayes: All

Noes: None

Motion Carried

Jake Pohlman, attorney for the applicant was present and provided the following details:

- ✓ Mr. Hassan currently owns a detail shop on Transit Road and has procured most of the dealer detailing in the area
- ✓ No trucks are brought on site – individual drivers run the cars back and forth
- ✓ The business has outgrown the current facility and would like to expand into two facilities, one being at 5190 Seneca Street, a former used car lot. The second location will be on Southwestern Boulevard in the vicinity of the car lots.
- ✓ There will only be 1 – 2 employees at any time; no public interaction
- ✓ The applicant is agreeable to landscaping the area
- ✓ The site is in a C-2 zoning
- ✓ On occasion there will be 4 – 5 cars onsite that are for sale.
- ✓ All setback requirements will be met

Ms. Bebak questioned if any improvements would be added to the site. Mr. Pohlman stated a green area will be put in around the edge with additional plantings. Only a small sign will be placed on the existing building. The space will be cleaned up.

Mr. McCabe questioned if the parking area will be repaved. Mr. Pohlman stated the parking area will not be repaved at this time. The area will only be used to stage cars as they arrive and leave.

Mr. McCabe questioned who owns the vehicles to be sold on site. Mr. Pohlman stated the vehicles for sale will be the applicants. Mr. Hassan frequently speaks with the dealers to work out the contracts on cars and at times will purchase a car for resale purposes.

Mr. Sailer questioned where the detailing will be done. Mr. Pohlman stated the detailing will be done inside the building. Two vehicles at a time go in for detailing while two vehicles wait outside.

Mr. McCabe questioned if there will be mechanical, or collision work done on site. Mr. Pohlman stated no mechanical, or collision will be performed on cars.

Ms. Bebak questioned if the landlord will improve the facade of the building with a new development going in and spruce up the area. Mr. Pohlman stated he has not asked the landlord to do this, but acknowledged a cleanup is needed with at least paint.

2021-02 (continued)

Mr. Nalewajek questioned the volume of car sales. Mr. Pohlman stated there would be 5 -6 cars on the lot and approximately two cars are sold a month.

Mr. McCabe stated the Planning Board could place conditions limiting the number of cars placed for sale and questioned if this would be objectional. There appears to be twelve parking stalls on the site plan; at least one should be ADA compliant. Mr. McCabe suggested six cars for sale at a time. Mr. Pohlman stated this would be agreeable if the Planning Board felt this was necessary.

Mr. McCabe referred to the rendering and stated it appeared the two existing curb cuts will be closed with access to the property coming from the two existing driveways. Mr. Pohlman stated this is correct, there were safety concerns with the access being too close to the intersection for safe ingress and egress, trouble seeing around cars, and the public will not be pulling in.

Chairman Rathmann questioned the ADA compliance of the building. Code Enforcement Officer Jeffrey stated this would be addressed with future building permits.

Chairman Rathmann questioned the landscaping plan. Mr. Pohlman stated additional green space and trees will be added. The site is currently just blacktop. Chairman Rathmann noted the zoning calls for one tree for every 40' of frontage; the zoning code must be followed. This is just a recommendation to the Town Board for the special use permit and the plan may be adjusted accordingly.

Mr. Schieber explained there are existing sites with very minimal work being done, no changes to the building, curb cuts, drainage, etc. In some instances, the process is combined where the Planning Board may make a recommendation to the Town Board who will address all the things the Planning Board is looking for. Therefore, the applicant will not return to the Planning Board over minor things. This is a very minor special use permit.

No comments were received from the public.

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

Ayes: All

Noes: None

Motion Carried

Motion by Clifford, seconded by Bebak, to recommend approval of a special use permit for property located at 5190 Seneca Street, for redevelopment of existing 1,190-sf building for use as an auto detailing shop with the following conditions: 1) caveat of greenage; 2) no more than a 6-car allotment for sale; 3) landscaping and painting of the exterior building in a uniform manner; 4) no collision or mechanical work performed on vehicles.

Ayes: All

Noes: None

Motion Carried

SPR2021-010

A request from Western New York Federal Credit Union for site plan approval for property located at 1937 Union Road for demolition of an existing vacant house and construction of a one-story 3,000-sf bank, covered drive-thru, paved 20-car parking lot, storage garage, covered picnic shelter, with all related site improvements.

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

Ayes: All

Noes: None

Motion Carried

Steve Smigielski with Lydon Architectural Services presented the following:

- ✓ The proposed project is for a 62' x 50' addition (approximately 3,000-sf) providing 6 additional offices, breakroom, and conference rooms
- ✓ The exterior and interior finishes will match the existing building
- ✓ The building will be code compliant, and no variances are required
- ✓ An 800-sf pavilion will be used for activities
- ✓ The garage will store maintenance equipment
- ✓ The site plan will utilize the existing curb cuts
- ✓ An additional 19 parking spaces and 1 ADA accessible stall will be added
- ✓ Trees to the rear of the property will remain; a few trees in the middle of the property will be removed as well as existing structures that will be demolished
- ✓ three retention and detention areas will be onsite

Chairman Rathmann questioned if the site is in a flood plain. Code Enforcement Officer Jeffrey Schieber stated initial conversations indicated the site plan was in the true 100-year flood plain, referred to as zone AE on the FEMA mapping, noting this is not correct. There was a concern that there is another subsequent flood area called zone X and states a potential exists for the area to flood. It has been determined that the building addition is not located within the zone X potential area. There have been many conversations between the applicant's engineer and the Town Engineer, who reviewed the items and provided an approval letter.

Mr. Frick questioned if the applicant is required to submit a tree survey. Chairman Rathmann stated a tree survey is required to show what trees are remaining. Mr. Smigielski believed an overlay was on the landscape map, if needed a clearer overlay can be submitted.

Chairman Rathmann referred to the boundary survey and believed this does not coordinate with the site plan. It does not show the property being squared off. Mr. Smigielski stated there should be a new survey with all the individual parcels grouped together. A new boundary survey can be sent over.

Mr. Schieber stated the project was sent out for a coordinated SEQR review; SHPO responded this is not in an archeological sensitive area. The photometrics were submitted as part of the lighting package and has been revised with no impact to the surrounding area. NYSDOT stated the project has no impact on traffic as there are no curb cuts.

Chairman Rathmann stated the topographic tree survey needs to be completed, the boundary survey and tree survey updated.

SPR2021-010 (continued)

No comments were received from the public.

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

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Sailer, on the recommendation of the Town Attorney, to adopt the following resolution:

WHEREAS, the Planning 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 Part I of the Full Environmental Assessment Form ("EAF") prepared by the applicant for property located at 1937 Union Road (SBL 134.08-3-2.2) ("Subject Property"), for construction of an addition to credit union (the "Project"), and reviewed the draft completed Part II of the 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 Parts I and II of the EAF and documentation and plans submitted by the applicant in connection with the review of the Project, the Planning 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 Bebak, seconded by McCabe, to grant site plan approval for property located at 1937 Union Road for demolition of an existing vacant house and construction of a one-story 3,000-sf bank, covered drive-thru, paved 20-car parking lot, storage garage, covered picnic shelter, with all related site improvements.

Ayes: All

Noes: None

Motion Carried

SPR2021-011

A request from Joseph and Nadine Biasillo for site plan approval for property located at 1929 Ridge Road for conversion of a residential property into a doctor's office, with all related site improvements.

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

Ayes: All

Noes: None

Motion Carried

SPR2021-011 (continued)

Dr Biasillo was present stating he currently has a chiropractic office located in the Southgate Plaza and has recently purchased 1929 Ridge Road to convert into a doctor's office. The site plan calls for the following:

- ✓ 12' x 35' addition on the front
- ✓ 10' x 20' addition off to the side for a waiting room
- ✓ The building would be update with vinyl siding, a stone veneer and white trim
- ✓ Landscaping would be added to the front
- ✓ 18 parking stalls with 2 ADA compliant stalls
- ✓ The building will house 4 treatment rooms, waiting room, two file storage rooms, billing room, office, breakroom, and 2 bathrooms

Ms. Bebak questioned if the parking will be on east side of the building with a new curb cut. Dr. Biasillo stated parking will be on the east side and will require a new curb cut.

Mr. McCabe questioned if a side lot variance will be required. Code Enforcement Officer Jeffrey Schieber stated a variance will not be required. This is an existing building that was a residential house; a parking lot existed to the west and located on an easement. The office advised to not keep the parking lot on the easement. The property to the west is an easement to the electric company. The proposed additions are minor, the zoning is R-60A and permits a doctor's office. The design conforms to the Town Code.

Chairman Rathmann questioned if the parking can be moved to the back. Mr. Schieber stated this was looked at and the issue is existing trees on site; most of the front will still be green.

Ms. Bebak stated a resident reached out, preferring the parking stay as is, not backing up to the residential lot.

Chairman Rathmann understood there was a problem connecting to the storm drainage. Mr. Schieber explained the storm system is owned by ECDPW; Ridge Road is a county road. The design is to collect all the new water from the parking lot and discharge into their system. Erie County has their own rules and there may need some adjustments to the engineering.

Ms. Bebak stated if this can be engineered properly it is a great improvement to the lot and a very nice project.

Chairman Rathmann stated for safety purposes he would like a sidewalk adjacent to the lot connecting to the front entrance.

No comments were received from the public

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

Ayes: All

Noes: None

Motion Carried

SPR2021-011 (continued)

Motion by Clifford, seconded by Frick, to table site plan approval for property located at 1929 Ridge Road for conversion of a residential property into a doctor's office, with all related site improvements, pending the authorization of the storm drainage.

Ayes: All

Noes: None

Motion Carried

SPR2021-012

A request from Royal Car Wash for site plan approval for property located at 1343 Union Road for use as a car wash, with all related site improvements.

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

Ayes: All

Noes: None

Motion Carried

Sean Hopkins of Hopkins Sorgi and McCarthy, LLC, Jon Barniak with Carmina Wood Morris, and Anthony Daniele from Royal Car Wash were present and provided the following information:

- ✓ The site plan was originally approved for JSEK on November 12, 2020
- ✓ The Daniele family proposed a car wash a short distance to the north and required a rezoning; the Daniele family has entered into a contract with JSEK to sell the project to the Daniele family
- ✓ The site plan approved in November 2020 contained the condition there was to be no illumination level above 0 at contiguous residential property lines; the applicant remains fine with the condition
- ✓ Much time was spent on the architecture of the building due to the location being in the Union Road corridor; no changes are being made to the basic elevations of the building (same materials, and screening wall)
- ✓ Separate approvals will be needed for signage
- ✓ The NYSDOT provided approval in May 2020; the original site plan depicted two separate curb cuts onto Union Road the NYSDOT requested one curb cut and the plan has been updated
- ✓ Minor modifications have been made and comply with the variances granted by the Zoning Board of Appeals in October 2020

Mr. Hopkins stated the minor modifications to the site plan are as follows:

1. Minor changes to the planting types along the rear of the property. Mr. Barniak stated the only changes are in the rear of the site. Previously proposed ornamental trees have been replaced with ornamental trees typically used at Royal Car Wash locations. Along the north property line ornamental trees were replaced with taller junipers. Very minimal landscaping changes. Mr. Daniele stated the changes are familiar to the company; the trees canopy up, are lower maintenance, and the junipers absorb sound and tend to survive the winter.
2. The easterly vacuum access driveway was revised to a stacking lane escape lane. An entrance driveway lane was added to the vacuum spaces adjacent to the Union Road entrance driveway.
3. The concrete areas along the car wash entrance/exit lanes were extended
4. A 12' wide striped car wash exit lane was added
5. A sidewalk was added to the car wash pay stations

SPR2021-012 (continued)

6. The interior of the car wash building was modified to provide the tunnel on the north side and the office/equipment room on the south side of the building; this allows employees to interact with customers more easily.
7. The dog wash area was removed
8. The water line was upsized from 2" to 4" based on the companies experience with car washes
9. Upsized the water/oil separator from 1,500 gallons to 2,500 gallons

Mr. Hopkins referred to the vacuums and the noise associated with them and stated the original plan shows the compressors near Freemont Avenue, behind a fence. In 2019 the vacuums were moved to the current location. The location being shown this evening is the same location as the approved site plan from November 2020. The Code Enforcement Office stated there was some concern and if the Planning Board approves, the two compressors could be moved.

Mr. Hopkins stated the goal is to receive site plan approval so the applicant can submit fully engineered plans, file a building permit application, and start construction in the fall.

Mr. Frick referred to the 12' wide exit driveway and questioned what material would be used under the canopy. Mr. Daniele stated generally this would be a stone mulch, like the Transit Road and Clinton Street location.

Mr. Clifford questioned the decibel level of the compressors. Mr. Daniele stated he does not have the exact number with him but could provide this. Typically, at the property line you do not hear the vacuum, you would hear the road noise before the vacuum.

Mr. Clifford questioned if the Freemont Avenue compressors are proposed to be moved in. Mr. Hopkins stated what is shown on the plan is the exact same location as previously approved in November 2020. If the board would like, the vacuum could be moved closer to the building.

Mr. Sailer questioned if the compressors could be on the side. Mr. Daniele stated they could not, this is not a compressor. This is an electric motor which is quieter with a sizable muffler. This feed into a PVC pipe, moving the location would create PVC pipe going overhead.

Mr. Frick questioned if the number of parking spaces has been reduced from the approved plan. Mr. Daniele stated one or two spaces were removed for the emergency lane.

Mr. Hopkins stated what is being proposed on the current plan is the exact same location as approved last year. Mr. Hopkins simply provided an alternate location which is believed to be a better location.

Mr. Clifford stated they are called turbine compressors on the plan and numbered to 20. Could the number 20, next to the type 19 be moved up against the car wash were the number 2 would be, leaving the other in its place. Move the lower up against the building, leave the other in the central part, moving away from the neighbors and up closer to Union Road. Mr. Daniele stated this is where the piping would cross the parking lot and could not be done.

SPR2021-012 (continued)

Mr. Sailer stated it can not be moved to the other side. The one in the back should stay and be close to the building and move the one closest to the residents. You hear the blowers from the dryers more than anything else. The traffic flow is much better in this plan than previously approved.

Mr. Hopkins stated the approved plan called for a fence wrapping around the entire area bordering residential property and this is still part of the plan.

Mr. Nalewajek stated moving both would be an improvement to the Freemont Avenue area and prefers both be moved to the west. Mr. Clifford and Mr. Sailer concurred.

Chairman Rathmann questioned the color of the vacuum equipment and stated he would prefer black. Mr. Daniele stated the equipment is usually blue and would defer to the Planning Board.

Residents had the following comment/questions:

- ✓ Would prefer an 8' fence along the back by residential property to help with noise, privacy, pollution, and security - Mr. Schieber stated an 8' fence is allowed possibly with a variance for official approval.
- ✓ There is ditch along the property line, who would maintain the trees along the ditch – Mr. Sailer stated the ditch shows a catch basin at the corner of the property line. Chairman Rathmann questioned if trees are on the property now. (inaudible)
- ✓ Originally there was to be drainage along the back of the property; the ditch was cleaned up and the town opened the sanitary.
- ✓ Originally a garage door was to open and close after every car. The dryers were to be set back in the building.
- ✓ The building was to be a block building, double insulated and motors and exhaust for the vacuum cleaners would be inside adjacent to Freemont Avenue.
- ✓ After the rezoning and special use permit were approved, Mr. Spino redesigned the building and moved the vacuums to the open by Norwood Avenue
- ✓ The Planning Board originally recommended denial to the Town Board and residents petitioned for approval and presented the petition to the Town Board for approval. The Planning Board should not have approved the new plans.
- ✓ There is gate along the back for emergency uses – Mr. Schieber explained part of the process is sending applications to the fire department for review; the concern from the fire department was emergency access. There will be two fence panels with a Knox Lock with the police and fire having the key.
- ✓ There was an extensive plan worked out with the Planning Board for a fence and trees to line the residential neighborhoods
- ✓ Construction vehicle should not be entering the residential streets
- ✓ Questioned the number of lanes entering the site
- ✓ Questioned the number of vacuum bays and expressed concerns about the noise from Union Road combined with the vacuums
- ✓ Employee parking and vacuum spots could be swapped
- ✓ Concerned about the impact on the neighborhood and would like the project to be neighborhood friendly
- ✓ Was against the project previously before the Planning Board and Town Board for traffic concerns, potential hazards with the water retention pond, traffic exiting onto Freemont Avenue, pollution from idling cars, noise, and lighting

SPR2021-012 (continued)

- ✓ Project does not fit into the type of business allowed in the Union Road corridor; what could go in if this is unsuccessful?
- ✓ Are there hazardous chemicals still on the site? No water was sprayed during the demolition to control the dust and no dirt was removed from the site.
- ✓ Requested an environmental survey to assure the property has been properly remediated.
- ✓ What are the intended hours of business?
- ✓ Concerns regarding the traffic flow in and out of the car wash

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

Ayes: All

Noes: None

Motion Carried

Mr. Schieber presented the grading plan to the members of the Planning Board.

Mr. Clifford questioned who owns the property where the drainage ditch is located. Mr. Schieber stated it is his opinion the ditch is on the car wash property.

Mr. Barniak stated the proposed storm water design of the project takes away a large portion of existing runoff that is going to the ditch. The runoff will now go into the storm water system. The Town Engineer approved the plans.

Mr. Clifford questioned if the fence will be on the east side of the ditch, relieving the neighbors of worrying about the maintenance of the ditch. Mr. Hopkins replied this is correct.

Mr. Hopkins stated the following:

- ✓ The NYSDOT requested one curb cut
- ✓ The public has no access onto Freemont Avenue; the access is for emergency use and controlled by a Knox Lock and are rarely used
- ✓ A phase I Environmental Report has been completed showing no asbestos on site
- ✓ The condition was imposed in November 2020 requiring the lighting levels be adjusted at 0' candles along the residential property line
- ✓ Hours of operation are 7:00 am – 10:00 pm
- ✓ Would consider an 8' fence if imposed

Mr. Daniele provided the following comments on the landscaping:

- ✓ The requested tree grows up like a cone and will grow over the 6' fence. They are not a messy tree and stay green a long amount of time for a sound barrier.
- ✓ The skyrocket junipers can be trimmed and maintained. Royal Car Wash has had great success with this choice

Chairman Rathmann questioned if 23 trees along the back are gone; the 23 shown on the back property line were existing trees - ash and maple. The only new trees are along the north property line and in the corner; the zelkova are fine and the skyrocket juniper should not replace the hornbeam. There are no trees along the east property line.

SPR2021-012 (continued)

Mr. Daniele stated along the eastern property line is where the proposed grading will be to allow positive water movement to the drain, making the ditch effective.

Chairman Rathmann questioned if this will interfere with water from the adjoining properties draining to the ditch. Mr. Daniele stated he can not speak to water coming from other properties onto the car wash, he can attest to the fact his water will not go onto adjoining properties and any runoff created on his property will be taken care of. This will be an improvement and maintained.

A resident questioned the drainage on Norwood Drive. An inaudible conversation was held between the resident and the applicant away from the microphone.

The resident stated he would like the storm drainage behind Norwood Drive to run another 30' – 40' as there are two yards after the receiver ends at his yard; there are two more to the west and questioned where the water will go. Mr. Hopkins stated this can be looked at to see if another receiver should be put in.

A resident stated the water table on Union Road was changed and they have maintained the ditch and would like the ditch taken care of.

A resident stated they were promised the dryers and vacuums cleaners were going to be enclosed and are in the open. Other Royal Car Washes are loud, and he has a decimal meter application on his cell phone. The resident questioned why there was no notification on this application. The resident questioned if the Town Board may rescind the rezoning and will be asking the Town Board to do so. Mr. Hopkins stated the Town Board cannot rescind an approved zoning by resolution. Mr. Daniele is attempting to incorporate the neighbors needs and wants.

A resident stated there was promises from Mr. Spino and felt she was lied to. The car wash on Clinton Street and Transit Road is very noisy and takes away from the character of the neighborhood.

Mr. Daniele stated he is a fellow taxpayer in the Town of West Seneca and is proposing a Royal Car Wash located in a commercial district. If this property was not a car wash it could be a McDonald's, bank, etc. and many uses are permitted along the corridor. The standard is set high along the Union Road corridor, and this will be a great addition that improves the tax base. The landscaping and fencing do everything practical to mitigate any negative impacts. If there is an issue, he will do everything possible to alleviate the problem. The neighbors on Clinton Street and Transit Road can attest to this.

Ms. Bebak questioned if it was possible to enclose the vacuums. Mr. Daniele stated this is not practical, due to the piping. They should be strategically placed to have the noise go towards Union Road and will abide by the Town Code.

Mr. Clifford noted, the Planning Board originally voted 7-0 to recommend denying the project to the Town Board and were berated after the meeting by residents who believed the members were hurting the neighborhood. Residents went to the Town Board who voted 3-0 in favor of the project. The Planning Board and applicant are trying their best, and the project is much better than before.

SPR2021-012 (continued)

Motion Clifford, seconded by Bebak, to grant site plan approval for property located at 1343 Union Road for use as a car wash, with all related site improvements, with the following addendums to the submitted plan: 1) move both compressors to as close to Union Road as possible; 2) 8' fence along the east side of the property; 3) adhere to the greenery as suggested by the Chairman; 4) adhere to any and all suggestions by the Town Engineer regarding drainage, particularly near 28 Norwood Avenue.

Ayes: All

Noes: None

Motion Carried

2021-04

A request from JSC Management Group for a rezoning for property located at 1997 – 2003 Ridge Road, changing its classification from R-60A to C-2 for use as a commercial restaurant.

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

Ayes: All

Noes: None

Motion Carried

Todd Markovich with ABD Engineering presented the following:

- ✓ The site is currently comprised of a few houses, associated driveway, and a garage; the zoning is R-60A
- ✓ The proposed scope of work is to demolish the existing building to construct an approximate 2,700-sf Burger King with double drive-thru and associated site improvements including new driveways, and paved parking
- ✓ The site plan is preliminary site plan with conceptual elevations for the Planning Boards viewing; additional material will be submitted if the zoning goes forward

Mr. McCabe questioned if the change should be to C-2(S). Code Enforcement Officer Jeffrey Schieber stated this is correct and was an error on the application and will be modified.

Ms. Bebak stated the proposed site plan shows access through the doctor's office at the rear. Mr. Markovich stated the potential owner is coordinating for an access easement to allow a better traffic flow to and from the property while allowing for a truck exit. The negotiations have just been started.

Ms. Bebak stated the neighbor at the rear of the property will be looking for some screening and fencing. The neighbor has a deep lot and would like a continuous fence from the doctor's site.

Ms. Bebak questioned the required amount of parking stalls. Mr. Schieber stated conversations were held with the engineer and this is still in the design phase.

Mr. Clifford stated the driveway cuts show two exits and entrances next to each other and questioned if the traffic flow be better with one way in and one way out. Mr. Markovich stated this could be a consideration. The revised plan that was submitted does show one way in and out to the site.

Mr. Schieber stated there was an updated property survey and this shows another option. This will be worked out in the future at the Planning Board meetings.

2021-04 (continued)

Mr. Clifford thanked the applicant for choosing West Seneca for the project.

Mr. Schieber stated there will possibly be a parking variance required for the setbacks and parking quantity. The 24' area extends into the right of way, minor things.

No comments were received from the public.

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

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Clifford, to recommend approval of the rezoning and special permit for property located at 1997 – 2003 Ridge Road, changing its classification from R-60A to C-2(S) for use as a commercial restaurant.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Bebak, seconded by Sailer, to adjourn the meeting at 9:18 P.M.

Ayes: All

Noes: None

Motion Carried

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