

Ari M. Goldberg
Associate

April 18, 2022

VIA ELECTRONIC MAIL
VIA OVERNIGHT MAIL

Town of West Seneca Planning Board
c/o Jeffrey Schieber, Code Enforcement Officer
Town of West Seneca
1250 Union Road, Room 210
West Seneca, NY 14224

Re: Queens Landing Application for Rezoning Grant Boulevard Properties

Dear Members of the Town Planning Board:

Barclay Damon LLP represents 1000 Queens Grant LLC (“Queens Grant”), record property owner of SBL Nos. 152.05-6-10.1, 152.05-6-14, 152.05-6-21.1 on Grant (“Properties”). The Properties are located on Grant Boulevard in the Town, and the Properties are part of the Queens Landing Subdivision (“Subdivision”), which is a 34 acre, 150 lot subdivision. Currently, the Properties are all zoned R-75. Queens Grant seeks to rezone the Properties to R-50 to accommodate townhomes on the Properties that align with other proposed areas of the Subdivision.

Enclosed, please find the following:

1. Town Rezoning Application Form
2. Rezoning Map Exhibit
3. Legal Description of Properties to be Rezoned
4. Environmental Assessment Form
5. Owner Authorization

We look forward to presenting this rezoning to you at the next available Planning Board meeting. Should you require anything additional, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,



Ari M. Goldberg

Queens Grant Rezoning
April 18, 2022
Page 2

AMG:jdp
Enclosure

cc: Queens Grant (via e-mail)
Rob Pidanic, Nusbaumer & Clarke, Inc. (via e-mail)

TOWN OF WEST SENECA

APPLICATION FOR REZONING – SPECIAL PERMIT

TO BE COMPLETED BY APPLICANT

DATE April 18, 2022

FILE # _____

PROJECT NAME Queens Landing Grant Boulecard Rezoning

PROJECT LOCATION (Include address and distance to nearest intersection)

Grant Boulevard, SBL Nos. 152.05-6-10.1, 152.05-6-14, 152.05-6-21.1

APPLICANT 1000 Queens Grant LLC by Barclay Damon LLP as agent/attorney PH/FAX agoldberg@barclaydamon.com

ADDRESS 1200 Delaware Avenue, Suite 200, Buffalo, NY 14202

PROPERTY OWNER 1000 Queens Grant LLC

PH/FAX (716) 688-5597

ADDRESS 470 Cayuga Road, Cheektowaga, NY 14207

ENGINEER/ ARCHITECT _____

PH/ FAX _____

ADDRESS _____

SBL # 152.05-6-10.1, 152.05-6-14, 152.05-6-21.1

PROJECT DESCRIPTION (Include all uses and any required construction)

Rezone properties from R-75 to R-50 to accomodate townhomes and conform to existing zoning of subdivision parcels.

SIZE OF LOT (acres) 1.73

ACREAGE TO BE REZONED 1.73

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

Grant Boulevard,

EXISTING ZONING R-75 PROPOSED ZONING R-50

EXISTING USE(S) ON PROPERTY vacant residential lot

PROPOSED USE(S) ON PROPERTY townhomes

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET

R-50; single-family dwellings

PUBLIC SEWER YES NO

PUBLIC WATER YES NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

Subdivision/amendment to map cover after rezoning.

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED _____ BY _____

PLANNING BOARD MEETING DATE _____

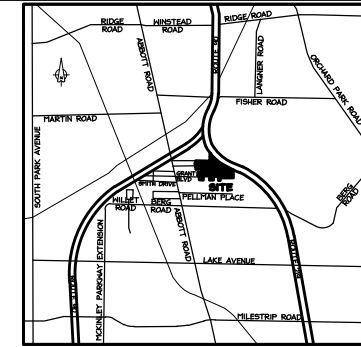
TOWN BOARD MEETING DATE _____

TOWN BOARD RESOLUTION DATE _____

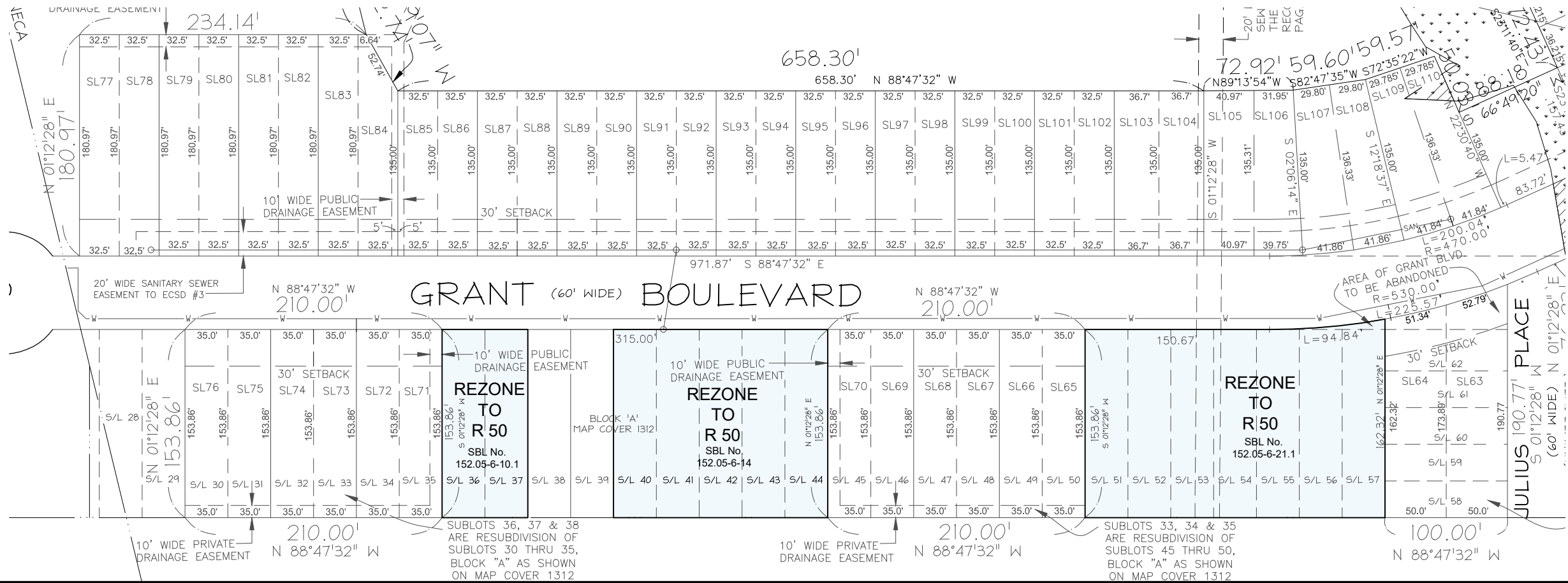
NON – REFUNDABLE FILING FEE (Payable to the Town Clerk): \$ _____

"QUEENS LANDING SUBDIVISION"

TOWN OF WEST SENECA, COUNTY OF ERIE,
STATE OF NEW YORK
PART OF LOTS 426 & 427,
TOWNSHIP 10, RANGE 7,
OF THE BUFFALO CREEK RESERVATION
34.0± ACRES
150 SUBLOTS
MAP COVER 3835



LOCATION MAP
(NOT TO SCALE)



QUEENS LANDING SUBDIVISION REZONING EXHIBIT

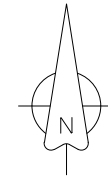


EXHIBIT
1

Legal Description of Parcels to be Rezoned

Parcel 152.05-6-10.1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York being part of Lot No. 427, Township 10, Range 7 of the Buffalo Creek Reservation and according to a map of City Edge Acres filed in the Erie County Clerk's Office under Cover No. 1312 is known as Subdivision Lot Nos. 36 and 37 in Block "A".

Parcel 152.05-6-14

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York being part of Lot No. 427, Township 10, Range 7 of the Buffalo Creek Reservation and according to a map of City Edge Acres filed in the Erie County Clerk's Office under Cover No. 1312 is known as Subdivision Lot Nos. 40 through 44 inclusive in Block "A".

Parcel 152.05-6-21.1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York being part of Lot No. 427, Township 10, Range 7 of the Buffalo Creek Reservation and according to a map of City Edge Acres filed in the Erie County Clerk's Office under Cover No. 1312 is known as Subdivision Lot Nos. 51 through 57 inclusive in Block "A".

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

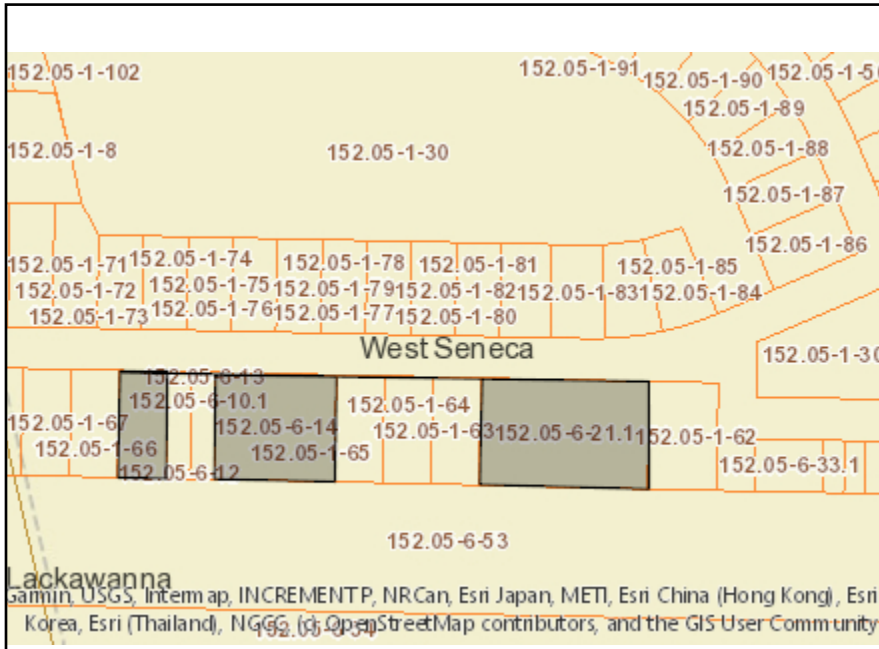
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Queens Landing Subdivision Rezoning			
Project Location (describe, and attach a location map): Queens Landing Subdivision - SBL No. 152.05-6-10.1, 152.05-6-14, 152.05-6-21.1			
Brief Description of Proposed Action: Rezone the properties from R-75 to R-50 to match zoning with remainder of subdivision and accommodate townhomes. Proposed action has been defined broadly to include all site activities.			
Name of Applicant or Sponsor: 1000 Queens Grant LLC c/o Barclay Damon LLP as agent/attorney		Telephone: (716) 858-3878	
Address: 200 Delaware Avenue, Suite 1200		E-Mail: agoldberg@barclaydamon.com	
City/PO: Buffalo		State: NY	Zip Code: 14202
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ +/- 1.73 acres b. Total acreage to be physically disturbed? _____ +/- 0.01 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ +/- 34.0 acres			YES <input type="checkbox"/>
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): highway <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ If the proposed action is within 500 feet of a wetland or waterbody the EAF Mapper tool will automatically check "yes" on the pdf of the SEAF. A federal wetland is on the property and other portions of the entire subdivision, which was previously approved. Lot clearance already commenced/properties already impacted. The rezoning request helps further a development plant with townhomes that minimizes ground disturbance by sharing a wall across lot lines. _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	conveyance system established as part of larger subdivision and West Seneca Municipal Storm Sewer System. _____	
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>1000 Queens Grant LLC by Barclay Damon LLP</u> Date: <u>April 18, 2022</u> Signature: <u>/s/ Ari M. Goldberg</u> Title: <u>agent/attorney</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

AUTHORIZATION

1000 Queens Grant LLC, record property owner of SBL 152.05-6-10.1, 152.05-6-14, 152.05-6-21.1 on Grant Boulevard in the Town of West Seneca hereby authorizes Barclay Damon LLP, to file any applications, along with any necessary supporting documentation, with the Town of West Seneca in connection with approvals sought for the above referenced property.

DocuSigned by:

David Capretto

By: 247B57ABB30B4C6...
David Capretto, authorized signatory

Dated: April 18, 2022