

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY**

Submit this form with [full statement of proposed action](#) (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: 181-ZR-24

Postmark/Delivery Date: 3/29/24

The proposed action described herein is referred in accordance with the provisions of [NYS General Municipal Law §239 1 - nn](#). A [Municipal Referral Map](#) is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: West Seneca

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.

If the county fails to reply within such period, the referring body may take final action.

However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)

The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date 3.27.2024 Time 6pm Location 1300 Union Road, West Seneca, NY 14224

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment
 Site Plan Variance Special Use Permit Other: _____

5. Location of Property: Entire Municipality Address: 425 Potter Road, West Seneca NY

5a. S.B.L. of Property: 133.20-2-5.1

6. Referral required as site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District
 Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: variance for construction of enclosed dining room; variance for front yard setback of 11.14 feet; variance for side yard setback of 1.9 feet
(specify the action, such as the scope of variances or site plans)

8. Other remarks: _____

9. Submitted by: Kate Newton - Town Clerk Email: knewton@twsny.org

10. Return Address: 1250 Union Road, West Seneca, NY 14224

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 3/29/24. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

- 1. The proposed action is not subject to review under the law.
- 2. Comment on proposed action is attached hereto.
- 3. The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
- 4. No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning:  Date: 4/3/24