

# TOWN OF WEST SENECA

## APPLICATION FOR REZONING - SPECIAL PERMIT

### TO BE COMPLETED BY APPLICANT

DATE 7/24/18

FILE # 2018-09

PROJECT NAME Buffalo Truck Center

PROJECT LOCATION (Include address and distance to nearest intersection)

N. America Drive (Lot 3 N.A.C.) Approx 1150 feet East of Ransier Dr.

APPLICANT Thomas A. Conway

PH/FAX 585-424-4860

ADDRESS 2674 West Henrietta Road, Rochester NY 14623

PROPERTY OWNER Conway Buffalo, LLC

PH/FAX 585-424-4860

ADDRESS 2674 West Henrietta Road, Rochester NY 14623

ENGINEER/ ARCHITECT EnSol Inc.

PH/FAX (716) 285-3920

ADDRESS 661 Main St. Niagara Falls, NY 14301

SBL # 135.00-1.11

PROJECT DESCRIPTION (Include all uses and any required construction)

Truck Sales & Maintenance, Food test kitchen, Construction of a 75,000 ft<sup>2</sup> building, 16-acre parking lot, stormwater Pond & Retention Basin, Utilities

SIZE OF LOT (acres) 25.4ac ACREAGE TO BE REZONED N.A.

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

N. America Drive Approx. 2,027 LF of frontage

EXISTING ZONING M-1 PROPOSED ZONING M-1

EXISTING USE(S) ON PROPERTY Open Land

PROPOSED USE(S) ON PROPERTY Commercial

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

Commercial / Industrial / office buildings M-1

PUBLIC SEWER YES  NO

PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

Site Plan Approval

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

### TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED 08/20/2018 BY J. Pelsner

PLANNING BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD RESOLUTION DATE \_\_\_\_\_

# TOWN OF WEST SENECA

## APPLICATION FOR SITE PLAN REVIEW APPROVAL

TO BE COMPLETED BY APPLICANT

DATE 7/24/18

FILE # SPR2018-08

PROJECT NAME Buffalo Truck Center

PROJECT LOCATION (Include address and distance to nearest intersection) N. America Drive (Lot 3 N.A.C.) Approx. 1,150 feet East of Ransier Dr.

APPLICANT Thomas A. Conway PH/FAX (585) 424-4860  
ADDRESS 2674 West Henrietta Road Rochester, NY 14623

PROPERTY OWNER Conway Buffalo, LLC. PH/FAX (585) 424-4860  
ADDRESS 2674 West Henrietta Road Rochester, NY 14623

ENGINEER/ ARCHITECT EnSol Inc. PH/FAX (716) 285-3920  
ADDRESS 661 Main St. Niagara Falls, NY 14301

SBL # 135.09-3-1.11

PROJECT DESCRIPTION (Include all uses and any required construction) Truck Sales, Storage, and Maintenance.  
Small areato be leased to tenant for use as a food "test kitchen".

SIZE OF LOT (acres) 25.4 ACREAGE TO BE REZONED N.A.

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

N. America Drive. Approx. 2,027 ft of frontage

EXISTING ZONING M-1 PROPOSED ZONING M-1

EXISTING USE(S) ON PROPERTY Open land

PROPOSED USE(S) ON PROPERTY Commercial

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET  
Beer Distrib. Warehouse (M-1), Motorcycle Safety School (M-1), Water proof roofing Manufacturer (M-1), Office Buildings (M-1), Tractor-Trailer facility (M-1)

PUBLIC SEWER YES  NO  PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED Special Use Permit

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

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED 08/20/2018 BY Dolson

PLANNING BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD RESOLUTION DATE \_\_\_\_\_

NON - REFUNDABLE FILING FEE (Payable to the Town Clerk): \$ 8050

July 27, 2018

Town of West Seneca Industrial Park Review Committee  
c/o Jeffrey Schieber  
1250 Union Road, Room 210  
West Seneca, New York, 14224

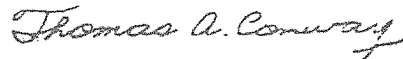
Re: Application Preparation and Submittal Authorization for:  
Site Plan Approval Application Review  
Buffalo Truck Center North America Drive

Mr. Schieber,

I am the owner of the North America Center Industrial Park Lot #3 (25.4 acre property) located on the south side of North America drive, in the Town of West Seneca. The Site Plan application for this property which is submitted concurrently with this letter has been prepared on my behalf by EnSol Inc., of Niagara Falls, NY with my authorization. Upon Site Plan approvals the facility will be operated in accordance with the application materials and subsequent Town of West Seneca approvals.

Please let me know if you have any additional questions or concerns. I can be reached at 585-424-4860.

Sincerely,  
Buffalo Truck Center



Thomas A. Conway, Chairman of the Board

CC: Brian D. Shiah, P.E – EnSol, Inc.

**BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made the 11<sup>th</sup> day of January, 2018,

**BETWEEN**

**WEST SENECA JOINT VENTURE**, a joint venture organized under the laws of the State of New York, with offices at 129 South Union Street, Suite , Spencerport, NY 14559  
*Grantor*

**CONWAY BUFFALO, LLC**, a New York limited liability company, with offices at 2674 West Henrietta Road, Rochester, New York 14623  
*Grantee*

**WITNESSETH**, that the Grantor, in consideration of one dollar (\$1.00), and other good and valuable consideration paid by the Grantee, hereby grants and releases unto the Grantee, the heirs or successors and assigns of the Grantee forever,

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of West Seneca, County of Erie, State of New York, and being part of Lots 209, 214 and 217 of the Ebenezer Lands Township 10, Range 7 of the Holland Purchase as shown on a map filed in the Erie County Clerk's Office under Cover No. 58, as more particularly bounded and described in Schedule "A" attached hereto and made a part hereof.

Being and intending to describe a portion of the premises conveyed to Grantor by North America Center Joint Venture by Deed recorded in the Erie County Clerk's Office on November 16, 2007 in Liber 11137 of Deeds, page 3753.

Tax Account Number:      Part of 135.01-4-61.111

Tax Mailing Address: \_\_\_\_\_

**TOGETHER** with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof.

**TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises.

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee forever.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

**AND** the said Grantor covenants that it has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

The words "Grantor" and "Grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

WEST SENECA JOINT VENTURE

By: ALLIED 5 WS, LLC, Partner  
By: Allied Buffalo, Inc., Member

By: Richard R. George  
Richard R. George, President

By: NANCO II, LLC, Partner  
By: Nanco Enterprises, Inc., Member

By: Paul Nanula  
Paul Nanula

STATE OF NEW YORK )  
COUNTY OF MONROE )

On the 10<sup>th</sup> day of January in the year 2018 before me, the undersigned, a Notary Public in and for said State, personally appeared **Richard R. George**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Patrick S. Laber  
Notary Public

PATRICK S. LABER  
Notary Public - State of New York  
No. 01LA6214406  
Qualified in Monroe County  
My Commission Expires: December 7, 2021

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss.:

On the 11<sup>th</sup> day of January, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **PAUL NANULA**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

MICHELLE LYNN WARD  
Notary Public - State of New York  
NO. 01WA6275111  
Qualified in Niagara County  
My Commission Expires 1/14/2021

Michelle Lynn Ward  
Notary Public

## SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie, State of New York, and being part of Lots 209, 214 and 217 of the Ebenezer Lands, so-called, as shown on map filed in the Erie County Clerk's Office under Cover No. 58, bounded and described as follows:

Beginning at a point on the south line of North America Drive (60.0 feet wide as conveyed to the Town of West Seneca by deed recorded in the Erie County Clerk's Office in Liber 10603 of Deeds at page 380) at the northwest corner of lands conveyed to J&M Distributing Co., Inc. by deed recorded in the Erie County Clerk's Office in Liber 11260 of Deeds at page 3743; running thence S 00° 47' 56" W, along the west line of said J&M Distributing Co., Inc. lands, a distance of 742.69 feet to a point on the north line of lands conveyed the Erie County Industrial Development Agency by deed recorded in the Erie County Clerk's Office in Liber 10951 of Deeds at page 8453; running thence N 89° 10' 54" W, along the north line of said lastly referred to Erie County Industrial Development Agency lands, a distance of 1108.98 feet to a point on an easterly line of lands conveyed to the Town of West Seneca by deed recorded in the Erie County Clerk's Office in Liber 11070 of Deeds at page 9952; running thence N 00° 53' 18" E, along an easterly line of said lastly referred to Town of West Seneca lands, a distance of 109.32 feet to a northerly line thereof; running thence N 88° 17' 02" W, along a northerly line of said lastly referred to Town of West Seneca lands, a distance of 620.00 feet to an easterly line thereof; running thence N 25° 13' 15" W, along an easterly line of said lastly referred to Town of West Seneca lands, a distance of 87.26 feet to a point on the south line of North America Drive; running thence the following four courses and distances along the south line of North America Drive: (1) along a curve to the left having a radius of 380.0 feet, 217.40 feet to a point of tangency; (2) N 31° 59' 58" E, 334.56 feet to a point of curvature; (3) along a curve to the right having a radius of 236.21 feet, 242.41 feet to a point of tangency; (4) S 89° 12' 04" E, 1233.32 feet to the point or place of beginning.