



TOWN OF WEST SENECA

TOWN SUPERVISOR
SHEILA M. MEEGAN

TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY JR.

CODE ENFORCEMENT OFFICE
"BUILDING SAFETY IS NO ACCIDENT"

October 17, 2018

TO: Honorable Town Board

RE: Rezone request for Union Concrete

Dear Board Members,

An application has been made to the Town of West Seneca to rezone 3 parcels owned by Union Concrete on Center Rd and Seneca St. As outlined in the rezone process of the Town Code, the first step is to seek a referral from the Town Board to the Planning Board. Please see enclosed documentation provide by owner.

Regards
Jeffrey Schieber
Code Enforcement Office

A handwritten signature in black ink, appearing to read "Jeffrey Schieber", is written over the typed name and title.

THE GARAS LAW FIRM, LLP

8203 Main Street, Suite 13

Williamsville, NY 14221

Phone: (716) 842-6200 Fax: (716) 332-3575

October 15, 2018

Jeffrey Schieber
Code Enforcement Officer
Town of West Seneca
1250 Union Road, Room 10
West Seneca, NY 14224

Re: Union Concrete & Construction Corp. Rezoning Request

Dear Mr. Schieber:

I represent Union Concrete & Construction Corp. the owner of the following 3 parcels of property in the Town of West Seneca (collectively the "Premises"):

1. 101 Center Rd.—SBL No. 134.14-4-5.2
2. 105 Center Rd.—SBL No. 134.14-1-20
3. 3080 Seneca Street—SBL No. 134.13-4-6

I am advised that 105 Center Rd. and 3080 Seneca Street are zoned R-65 and 101 Center Road is zoned C-2. The land records demonstrate that these parcels are owned variously by "UCC Constructors, Inc." and "Union Concrete & Construction Corp." The company was known by different names at different times and is currently known as Union Concrete & Construction Corp. Accordingly, all three parcels are owned by Union Concrete & Construction Corp.

Most of the Premises has been utilized for decades by my client as a "contractor's yard" incident to its business as a highway contractor. I believe the use of portions of the Premises predate the enactment of the Town's zoning ordinance. My client has outgrown the Premises and is planning to construct a new facility on property it owns on Meyer Road in the Town. My client will ultimately not require the Premises and it desires to rezone the Premises in order to make them more usable by a future purchaser.

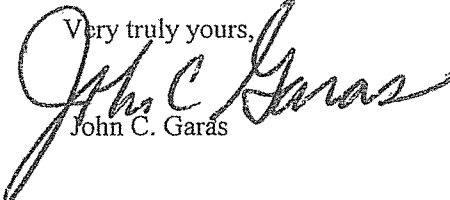
It is my client's desire to cause all of 101 and 105 Center Road and the easterly 60 feet of 3080 Seneca Street to be rezoned to the M-1 zoning classification and to retain the existing R-65 zoning on the westerly 66+/- feet of 3080 Seneca Street. To that end, I enclose the following:

- A. An original, full sized survey of the Premises dated 7/25/18.
- B. A legal description of each parcel to be rezoned.

My client does not plan to make any physical changes to the Premises; therefore, the survey also constitutes a site plan. It is not contemplated that any changes to my client's business or its hours of operation will be made.

It is my understanding that the enclosed satisfy the requirements for "Step 1" of the rezoning process sufficient to permit this matter to be referred to the Planning Board. If anything is missing, please let me know.

Thank you for your kind attention to this matter.

Very truly yours,

John C. Garas

Cc Mr. Robert Hill
Mr. Nicholas Osinski

Property Description: 101 Center Road

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. 127 of the Ebenezer Lands, described as follows:

Beginning at a point in the center line of Center Road at its intersection with the east line of Lot No. 127; thence westerly along the center line of Center Road two hundred twelve and fifty two hundredths (212.52) feet to the boundary line established by agreement recorded in the Erie County Clerk's Office in liber 1772 of Deeds page 6; thence southerly parallel with the east line of Lot No. 127 and along said boundary line, one hundred ninety-seven and four tenths (197.4) feet; thence easterly along a line drawn at right angles to the east line of Lot No. 127, two hundred twelve and fifty-two hundredths (212.52) feet to the east line of Lot No. 127; thence northerly along the east line of Lot No. 127, one hundred ninety-eight and eighty-one hundredths (198.81) feet to the center line of Center Road at the point of beginning.

Property Description: 105 Center Road

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. 126 of the Ebenezer Lands, described as follows:

Beginning at a point in the center line of Center Road at its intersection with the east line of Lot No. 127 and the west line of Lot No. 126; thence southerly along the east line of Lot No. 127 and the west line of Lot No. 126 a measured distance of 495.69 feet and a record distance of 495.18 feet to a point in the center line of Seneca Street; thence southeasterly along the center line of Seneca Street a distance of 15.66 feet; thence northeasterly at an exterior angle of $90^{\circ}03'01''$ a distance of 554.86 feet; thence westerly along the centerline of Center Road, a distance of 247.01 feet to the point or place of beginning.

Property description of portion of 3980 Seneca Street to be rezoned:

BEGINNING at a point in the north line of Seneca Street at the southwest corner of lands deeded by Dorothea Benz to William J. Vergien and wife by deed recorded in Erie County Clerk's Office in Liber 1830 of Deeds at page 301 on September 25, 1925 which point is 95 feet southeast of the point of intersection of the north line of Seneca Street with the center line of said Lot No. 127; thence southeast along the north line of Seneca Street a distance of 75.18 feet to the point or place of beginning; thence north, a distance of 233.81 feet; thence east at an interior angle of $81^{\circ}34'45''$, a distance of 59.82 to the east line of said Lot No. 127; thence south and along the east line of said Lot No. 127, a record distance of 260 feet and a measured distance of 260.72 feet to the north line of Seneca Street; thence northwest and along the north line of Seneca Street 64.03 feet to the point of beginning.

DATE	1974
SCALE	1" = 100'
BY	...
CHECKED	...

FOUND IN THE TOWN OF WEST SENeca, COUNTY OF ESSEX
 TOWNSHIP 12, RANGE 7
 SECTION 20, RANGE 7
 LIBERTY CORNER MAPS ON
 RECORD IN THE COUNTY CLERK'S OFFICE
 BEING LOTS 127 AND 128
 PART OF LOTS 127 AND 128
 BOUNDARY SURVEY

