

# TOWN OF WEST SENECA

## APPLICATION FOR REZONING – SPECIAL PERMIT

### TO BE COMPLETED BY APPLICANT

DATE **March 16, 2020**

FILE # \_\_\_\_\_

PROJECT NAME **Mighty Taco Restaurant**

PROJECT LOCATION (Include address and distance to nearest intersection)

**2884 Ridge Road. nearest intersection: 250' +/- West of Seneca St.**

APPLICANT **Douglas Hutter AIA**

PH/FAX\_ **PH. 716-923-0133**

ADDRESS **4245 Union Rd., Suite 210, Buffalo, NY 14225**

PROPERTY OWNER **Mighty Taco, Inc.: Contact Russell Jasulevich**

H/FAX **PH. 716-636-1097**

ADDRESS **9362 Transit Rd., East Amherst, NY 14051**

ENGINEER/ ARCHITECT **Zaxis Architectural. P.C.**

PH/ FAX **PH 716-923-0133**

ADDRESS **4245 Union Rd., Suite 210, Buffalo, NY 14225**

SBL # **143.06-4-9**

PROJECT DESCRIPTION (Include all uses and any required construction)

**Mighty Taco is in the process of modifying their menu throughout Western New York and desires to include the sales of alcohol allowed under a beer and wine license**

SIZE OF LOT (acres) **0.96+/-**

ACREAGE TO BE REZONED **NA**

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH **NA**

EXISTING ZONING **C-2**

PROPOSED ZONING **C-2 - No Change**

EXISTING USE(S) ON PROPERTY **Restaurant with a Drive-Thru Lane**

PROPOSED USE(S) ON PROPERTY **Restaurant with a Drive-Thru Lane**

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

**Zoning: Commercial, Residential. Various Commercial uses including retail plaza, commercial salles, restaurants, gas station/convenience store, dance studio and auto repair**

PUBLIC SEWER YES  NO

PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

**NYS - Beer and Wine "Liquor " License No other Town of West Seneca items**

**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): \$ \_\_\_\_\_

TOWN OF WEST SENECA

APPLICANT CHECKLIST FOR SITE PLAN REVIEW

PLEASE REFER TO APPENDICES A, B, & C AND THE TOWN OF WEST SENECA ZONING ORDINANCE FOR ADDITIONAL DESIGN INFORMATION. THE APPLICANT/ AGENT MUST INITIAL EACH ELEMENT AS PROOF THAT ALL REQUIREMENTS HAVE BEEN MET.

I. **SITE PLAN** All site plan drawings shall be prepared, signed, and sealed by an architect, landscape architect, engineer, or surveyor licensed in the State of New York, drawn to scale, and must include the following elements (also see checklist in Appendix A) :

- Title of drawing. Existing Approved Site Plan Provided
- Name, address, and telephone number of applicant, owner of record, and person who prepared the drawing. If owner of record is different from applicant, a letter of authorization from the owner or a contract of sale is required.
- North arrow, scale, revisions block and date.
- Site location map.
- Name, location, width, and jurisdiction of existing roads and sidewalks.
- Location of curb cuts on project site and on adjacent properties (including properties across the street).
- Location of all existing and proposed buildings and structures, paving, curbs, and pedestrian and bicycle facilities with those to be removed clearly identified.
- Show all zoning district boundaries, zoning classifications for all adjacent properties (including across the street), and zoning setback dimensions. If a portion of the site is proposed to be rezoned, the new zoning district boundaries should be shown.
- Zoning data block comparing existing and proposed requirements, including greenspace and parking calculations.
- Location of any areas proposed for outdoor display and sale of merchandise, if applicable.
- Layout of all off-street parking areas showing access drives, aisles, parking spaces, handicapped accessible spaces, and loading areas (conforming to all requirements of the Town of West Seneca Zoning Ordinance). A cross-section of proposed pavement must be provided.
- Existing and proposed rights-of-way and easements and location of areas to be in common ownership or to be offered for dedication.
- Existing and proposed watercourses including wetlands, floodways, and floodplains (this information should also appear in the drainage plan and grading plan).
- Location of all proposed signage (conforming to all requirements of the Town of West Seneca Zoning Ordinance).
- Any other information as might be required by the Planning Board.



VI. LANDSCAPING PLAN – to include the following elements (also see Appendix C).

NA - Existing  
No Proposed  
Changes

\_\_\_\_\_ All existing and proposed tree lines.

\_\_\_\_\_ All proposed trees, shrubs, and other plantings with appropriate labeling.

\_\_\_\_\_ Planting schedule data block with legend key, species name (botanical and common names), quantity, size, and spacing.

\_\_\_\_\_ Planting details for trees and evergreens must illustrate the crown of root ball at six (6) inches above finished grade; three (3) inches for shrubs.

\_\_\_\_\_ Refer to the Town of West Seneca Zoning Ordinance for applicable landscaping and screening requirements.

VII. CLEARING 7 SOIL EROSION CONTROL PLAN - to include the following elements:

NA

\_\_\_\_\_ Site preparation and clearing shall be designed to fit with the vegetation, topography, and other natural features of the site and shall preserve as many of these features of the sight and shall preserve as many of these features as possible.

\_\_\_\_\_ Show clearing limits, stock pile area, and all temporary and permanent drainage facilities. Erosion and sediment control facilities must be shown.

\_\_\_\_\_ A time schedule that is keyed to the operation must be provided.

\_\_\_\_\_ Include a note on the plan to indicate that stumps and brush may not be buried in the Town and that topsoil may not be removed from the work site without a permit.

VII. LIGHTING PLAN – to include the following elements:


NA - Existing Site Lighting

\_\_\_\_\_ Location of all lighting fixtures and standards on the property and structures, including a fixture schedule.

\_\_\_\_\_ Photometric data for site illumination.

IX. BUILDING HEIGHT AND DESIGN

Building elevations and floor plans of all non – residential structures and all residential structures containing three (3) or more dwelling units (including net floor area calculations).

I,  as owner/applicant of **Mighty Taco** located at **2844 Ridge Road** Town of West Seneca, to the best of my knowledge has submitted a complete application package for a site plan for review.

### III. PAVEMENT Existing

\_\_\_\_\_ Asphalt pavement grades should be at least 1.5%, preferably 2.0% to drain properly, minimize public safety concerns, and avoid liability issues. These grades must be shown on the drainage plan with flow arrows showing the direction of water flow.

\_\_\_\_\_ Show on the plans a cross-section of the proposed sidewalk.

\_\_\_\_\_ Show on the plans a cross-section of the proposed asphalt pavement. It is suggested that a thicker asphalt section be used for high traffic travel areas, where the dumpster is located, or where the deliveries will occur.

\_\_\_\_\_ On the asphalt pavement cross-section, show the use of filter fabric (Mirafi 140N, or equal) under the pavement sub-base.

\_\_\_\_\_ If connections to cross-access driveways are being made with adjacent sites, a detail must be shown on the plans for the proposed connection. The pavement transition detail must include a V-shaped saw cut into the existing pavement and tack coat.

### IV. DRAINAGE/GRADING Existing

\_\_\_\_\_ The stockpile area for topsoil and fill must be shown on the design plans.

\_\_\_\_\_ Spot elevations for adjacent properties must be provided on the grading plan.

\_\_\_\_\_ A minimum of 6-inches of cover are required for all storm sewer pipes in grass area. A minimum of 12-inches of cover are required for all storm sewer pipes in pavement. Storm sewer pipe located within the sub-base of the pavement is not allowed.

\_\_\_\_\_ Invert elevations must be shown for all culverts under driveways.

\_\_\_\_\_ Provide stone rip rap at the pipe outlets from the detention pond.

\_\_\_\_\_ Provide emergency overflow for the detention pond for the 100-year storm elevation.

\_\_\_\_\_ All culverts under driveways must be shown with galvanized end sections.

\_\_\_\_\_ Diameter, material type, and inverts of all roof leader downspouts must be shown.

\_\_\_\_\_ Diameter, material type, and inverts of all storm sewer pipes must be shown on the plans.

\_\_\_\_\_ For sites with less than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

\_\_\_\_\_ For sites with greater than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm, AND comply with all NYSDEC Stormwater Phase 2 regulations and design guidance.



## APPENDIX B-DESIGN OF STORMWATER DETENTION FACILITIES Existing

The following method of determining the size of stormwater detention and retention facilities is presented as a guide for engineers, architects, and developers involved with construction projects in the Town of West Seneca.

Detention facilities are those facilities that detain the flow of stormwater runoff and discharge it at a reduced rate from the detention area. /this type of system operates by gravity with a large inlet and a small inlet. Retention facilities retain stormwater runoff, and it is necessary to pump the collected water into the downstream drainage system after peak flows have passed. Normally, detention facilities are installed much more frequently than retention facilities.

The Town of West Seneca requires that the stormwater detention system be designed in accordance with the following documents:

1. NYS Stormwater Design Manual
2. NYSDEC:SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01)
3. NYSDEC: Standards and Specifications for Erosion and Sediment Control

A copy of the Notice of Intent (NOI) and Storm Water Pollution Prevention Plan(SWPPP) as required by the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No.GP-02-01) must be filled with the Town prior to issuance of a building permit for construction. Per the NYSDEC regulations, construction cannot begin until the required time period for NYSDEC review has passed.

- For projects conforming to the NYSDEC's recommended standards, construction cannot begin until:
  - \* Five (5) business days from the date the NYSDEC receives a copy of the NOI; or the applicant receives an Acknowledgement Letter from the NYSDEC.
- For projects that deviate from the NYSDEC recommended standard, construction cannot begin until:
  - \*Sixty (60) days from the date the NYSDEC receives a copy of the NOI; or\ the applicant receives an Acknowledgement Letter from the NYSDEC.

In addition, the stormwater detention facilities must be designed to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

The engineer must provide all calculation and mappings, and state all assumptions necessary for review by the Town of West Seneca.