

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 site 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 filed 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.