

# TOWN OF WEST SENECA

Prepared By: Sean Hopkins  
5500 Main Street, Suite 343  
Williamsville, NY 14221  
Tel: 510-4338  
E-mail: shopkins@hsmlegal.com

## APPLICATION FOR SITE PLAN REVIEW APPROVAL

### TO BE COMPLETED BY APPLICANT

DATE January 20, 2022

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

PROJECT NAME Proposed Commercial Redevelopment Project

PROJECT LOCATION (Include address and distance to nearest intersection)  
1465 and 1471 Union Road, 798 Center Road, 150 Fremont Avenue

APPLICANT Aebly & Associates LLC c/o Sean Hopkins, Esq.

PH/FAX 510-4338

ADDRESS 5500 Main Street, Suite 343, Williamsville, NY 14221

PROPERTY OWNER Aebly & Associates LLC

PH/FAX 238-4667

ADDRESS 3638 Seneca St., West Seneca, NY 14224

ENGINEER/ ARCHITECT Anthony Padolfe, P.E., Carmina Wood Morris DPC

PH/ FAX 842-3165 [Ext. 119]

ADDRESS 487 Main Street, Suite 500, Buffalo, NY 14203

SBL # 134.68-1-1, 134.59-28.1, 134.68-1-2.1 & 134.59-4-1.1

PROJECT DESCRIPTION (Include all uses and any required construction)

Proposed commercial redevelopment project

consisting of 2-story professional office building and related site improvements. More detailed description provided at Exhibit "1".

SIZE OF LOT (acres) 1.22 acres

ACREAGE TO BE REZONED Not Applicable

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

The Project Site has 233.38 ft. of frontage on Union Road, 208.18 ft. on Center Road and 189.87 ft. of frontage on Fremont Avenue.

EXISTING ZONING C-2(S) PROPOSED ZONING Not Applicable

EXISTING USE(S) ON PROPERTY Vacant commercial structure and single-family home.

PROPOSED USE(S) ON PROPERTY Proposed 2-story professional office building and related site improvements

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

There are numerous commercial uses on Union Road

on commercially zoned parcels and residential uses on streets to the east of the Project Site including Fremont Avenue.

PUBLIC SEWER YES  NO

PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

Two area variances pending before the Zoning Board of

of Appeals. Public hearing scheduled before the Zoning Board of Appeals on January 26th.

**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 (SEE TOWN OF WEST SENECA ZONING ORDINANCE)

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**Exhibit 1 - Description of Proposed  
Commercial Redevelopment Project**

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## **EXHIBIT 1 OF SITE PLAN APPLICATION**

### **DESCRIPTION OF COMMERCIAL REDEVELOPMENT PROJECT**

The proposed project consists of the redevelopment of a portion of the approximately 1.22 acres of land located at 1465 Union Road, 1471 Union Road, 798 Center Road and 150 Fremont Avenue (the “Project Site”) as a commercial project.<sup>1</sup> The proposed Phase 1 redevelopment project includes a two-story office building with a footprint of approximately 3,080 sq. ft. to be located on the northern portion of the Project Site [Parcel 1] that will be occupied by Aebly & Associates and all related site improvements as depicted on the engineered plans for the project prepared by Carmina Wood Morris DPC. A reduced size copy of the Site Plan [Drawing C-100] is provided at Exhibit “1” and full-size copies of engineered plans prepared by Carmina Wood Morris DPC along with the SWPPP with Engineer’s Report provided at Appendix D have been submitted with this Site Plan Application.

The intended future use the portion of the Project Site as the intersection of Union Road and Center Street consists of a restaurant with a drive-through facility [to be located on Parcel 2]. The future use of Parcel 2 for commercial purposes will be to the subject to a separate Site Plan review process that will occur in the future once a specific user has been identified and project plans have been developed for the Phase 2 project.

During its meeting on November 15, 2021, the Town Board adopted resolutions for the purpose of issuing a negative declaration pursuant to the State Environmental Quality Review Act (“SEQRA”), amending the zoning classification of approximately .99 acres of the 1.2 acre Project

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<sup>1</sup> The Project Site includes a former convenience store and gas station located on 1465 Union Road that has been closed for many years.

Site from C-1 to C-2(S) and granting a Special Use Permit for the proposed future restaurant with a drive-through facility to be located on Parcel 2. A copy of the resolutions adopted by the Town Board on November 15, 2021 is attached as Exhibit “3”.<sup>2</sup>

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<sup>2</sup> The proposed redevelopment project was reviewed by the Planning Board during its meeting on October 14, 2021 and it adopted a resolution by a unanimous vote recommending approval of the rezoning of a portion of the Project Site and issuance of a Special Use Permit by the Town Board.

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**Exhibit 2 - Reduced-Size Copy of Site  
Plan [Drawing C-100-Date:01/19/22] as  
Prepared by Carmina Wood Morris DPC  
[Full-Size Copy also Attached]**

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**SITE DATA**

SITE AREA: 1.29 ACRES  
 PARCELS: 3 PARCELS  
 ZONING: C-1 (COMMERCIAL DISTRICT) - UNIFORM ZONING ORDINANCE  
 CALLING AND/OR ZONING BOARD FOR FOOTPRINT OFFICE BUILDING AND/OR RESTAURANT

REQUIREMENT	REQUIRED	PROPOSED
PERMITTING FEE	1,500.00	1,500.00
PERMITTING FEE	500.00	500.00
PERMITTING FEE	500.00	500.00
PERMITTING FEE	500.00	500.00
PERMITTING FEE	500.00	500.00
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PERMITTING FEE	500.00	500.00
PERMITTING FEE	500.00	500.00
PERMITTING FEE	500.00	500.00

REMARKS:  
 1. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 2. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 3. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 4. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 5. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 6. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
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 8. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 9. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.  
 10. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.

- NOTES:**
1. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.
  2. ALL SPACES SHALL BE MAINTAINED OPEN AND UNOCCUPIED.
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- DETAIL LEGEND:**
- 1 TYPE "X" CONCRETE CURB
  - 2 STANDARD DUTY ASPHALT
  - 3 CONCRETE SIDEWALKS 5' WIDE UNLESS OTHERWISE NOTED
  - 4 30" PARKING STALL
  - 5 MANICURED PAVING MARKINGS
  - 6 MANICURED PAVING MARKINGS
  - 7 EXISTING CONCRETE SIDEWALK
  - 8 EXISTING CONCRETE SIDEWALK
  - 9 PAVED TRAFFIC AREAS
  - 10 ASPHALT ON ROADWAY
  - 11 LIGHT POLE FOUNDATION

- NOTE LEGEND:**
- 1 RANOUT CURB OR MATCH EXISTING CURB
  - 2 INSTALL "NO PARKING" SIGN (M.U.C. SIGN NO. 87.1C)
  - 3 LANDSCAPED AREA (SEE LANDSCAPE PLAN # 105 PLAN) - INSTALL TYPICAL # 852
  - 4 MATCH EDGE OF PARKING
  - 5 MATCH SIDEWALK
  - 6 EXISTING SIDEWALK - MATCH EXISTING WITH
  - 7 REDUCATE EXISTING CURB TO GREENSPACE
  - 8 REDUCATE EXISTING SIDE
  - 9 EDGE OF PARKING
  - 10 INSTALL "NO LEFT TURN" SIGN (M.U.C. SIGN NO. 82)
  - 11 OCCUPANT WALL

**SITE PLAN**  
 SCALE: 1"=30'

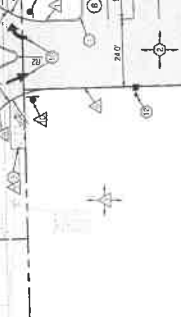
**REVISIONS:**

No.	Description	Date
1	Added proposed property line	12/22/21
2	Revised per NYS DOT comments	1-11-22

**PERMITS REQUIRED:**

1. COMMERCIAL OFFICE BUILDING  
 2. RESTAURANT BUILDING  
 3. SIGNAGE PERMITS  
 4. LIGHT POLE PERMITS  
 5. LANDSCAPE PERMITS  
 6. SIDEWALK PERMITS  
 7. PARKING PERMITS  
 8. TRAFFIC PERMITS  
 9. SIDEWALK PERMITS  
 10. SIDEWALK PERMITS

- GENERAL NOTES:**
1. ALL MATERIALS TO BE MANUFACTURED TO MANUFACTURER'S RECOMMENDATIONS AND BEST PRACTICES.
  2. SUBMITTALS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BEFORE COMMENCEMENT OF WORK.
  3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES.
  4. VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER AND ENGINEER IMMEDIATELY IN WRITING OF ANY DISCREPANCIES OR INCONSISTENCIES BEFORE PROCEEDING WITH THE WORK.
  5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
  6. CONTRACTOR SHALL KEEP A SET OF AS-BUILT DRAWINGS ON SITE AND SUBMIT TO OWNER AND ENGINEER IMMEDIATELY UPON COMPLETION OF THE PROJECT.
  7. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES DURING CONSTRUCTION.
  8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.



- DETAIL LEGEND:**
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**SITE PLAN**  
 SCALE: 1"=30'

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**Exhibit 3 - Copy of Resolution Adopted by  
the Town of West Seneca Town Board by  
a Unanimous Vote on November 15, 2021**

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TOWN OF WEST SENECA



AMY M. KOBLER  
TOWN CLERK

RECEIVER OF TAXES  
REGISTRAR OF VITAL STATISTICS  
NOTARY PUBLIC  
RECORDS MANAGEMENT OFFICER

TOWN SUPERVISOR  
GARY A. DICKSON

TOWN COUNCIL  
WILLIAM BAUER  
JOSEPH J. CANTAFIO  
WILLIAM P. HANLEY JR.  
JEFF PIEKAREC

November 16, 2021

TOWN BOARD PROCEEDINGS  
Meeting #2021-23  
November 15, 2021

Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve the rezoning and grant a special use permit for property located at 1465 & 1471 Union Road, 798 Center Road, and 150 Freemont Avenue, being part of Lot No. 192, changing its classification from C-1 & C-2(S) to C-2(S), for construction of a 2-story office building, restaurant with drive-through facility, and all related site improvements with the following condition: no vehicular access from the site on to Freemont Avenue.

Motion by Supervisor Dickson, seconded by Councilman Hanley, to amend the prior motion to include the adoption of the following resolution issuing a negative declaration pursuant to the State Environmental Quality Review Act "SEQRA" for the proposed project:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed Part I of the Short Environmental Assessment Form ("EAF") prepared by the applicant for property located at 1465 and 1471 Union Road, 798 Center Road, and 150 Fremont Avenue (SBLs 134.68-1-1, 134.59-4-28.1, 134.68-1-2.1, and 134.59-4-1.1) ("Subject Property"), for construction of a 2-story office building and restaurant with drive-through facility (the "Project"), and reviewed the draft completed Part II of the EAF analyzing the potential for the Project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the identified potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

WHEREAS, upon review of Parts I and II of the EAF and documentation and plans submitted by the applicant in connection with the review of the Project, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that preparation of an Environmental Impact Statement is not necessary and that the issuance of a Negative Declaration is therefore appropriate; now, therefore, be it

RESOLVED that pursuant to 6 NYCRR 617.7(a) the Town Board does hereby adopt a Negative Declaration with respect to the Project based on its determination that the Project will not result in any potentially significant adverse environmental impacts.

Ayes: All

Noes: None

Motion Carried

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
OFFICE OF THE CLERK OF THE  
TOWN OF WEST SENECA

This is to certify that I, AMY M. KOBLER, Town Clerk and Registrar of Vital Statistics of the Town of West Seneca in said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Town Board of the Town of West Seneca in said County of Erie, on the 15th day of November 2021 and that the same is a correct and true transcript of such original resolution and whole thereof.

IN WITNESS WHEREOF, I HAVE HERE UNTO SET MY HAND AND AFFIXED THE SEAL OF SAID TOWN THIS 16TH DAY OF NOVEMBER 2021.

TOWN CLERK AND REGISTRAR OF VITAL STATISTICS, TOWN OF WEST SENECA

TOWN HALL • 1250 UNION ROAD • WEST SENECA, NEW YORK 14224 • (716) 558-3215 • FAX (716) 558-2250

www.westseneca.net

email: akobler@twnsny.org