

Memo

To: Town Board Members

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: April 10, 2015

Re: April 15, 2015 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the April 15, 2015 Town Board Agenda:

PUBLIC HEARINGS:

1. KEN SCHULTZ/NIAGARA TRUCK EQUIPMENT, 8033 TRANSIT ROAD.

Location: East side of Transit Road, north of Wolcott Road.

Description/History: Existing commercial structure, former Gateway Equipment Building, located in the Restricted Business Zone.

Proposal: Applicant is seeking approval to occupy the structure and operate Niagara Truck Equipment, an existing business in Niagara County, and would like to display trailers and plows for sale and temporarily store deliveries in the rear.

Master Plan: Area identified in a restricted business classification.

Reason for Town Board Action: The structure and use thereof is identified as a pre-existing use in the Restricted Business Zone. The outdoor storage of equipment for sale/storage must be approved by the Town Board via a Temporary Conditional Permit.

Issues: The applicant has provided a description of the intended display and an associated site plan. A Temporary Conditional Permit may be issued with conditions for initially up to 1 year.

2. RENEWAL OF TEMPORARY CONDITIONAL PERMITS (SEE SEPARATE SPREAD SHEET)

FORMAL AGENDA ITEMS:

1. **GEORGE SMILANICH, 8575 ROLL ROAD.**

Location: South side of Roll Road east of Harris Hill Road.

Description/History: Existing industrial building located in the Industrial Business Park Zone.

Proposal: Applicant is proposing to sell vehicles from the existing parking lot.

Master Plan: Area identified in an industrial area.

Reason for Town Board Action: Per the Zoning Law, the Town Board may consider the request with a Temporary Conditional Permit.

Issues: Utilization of the existing parking area for sales, number of vehicles, etc.

2. **EASTERN TRANSIT PLAZA, 5445 TRANSIT ROAD.**

Location: East side of Transit Road, north of Greiner Road.

Description/History: Existing commercial plaza located in the Major Arterial Zone.

Proposal: Applicant is seeking a special event permit to operate a "cruise night"

Master Plan: Area identified in a commercial classification

Reason for Town Board Action: Per the Special Events Local Law, the Town Board has approval authority for town-wide special events.

Issues: Approval of general site plan of event activities and notification of emergency services.

3. **BROOKFIELD COUNTRY CLUB, 5120 SHIMERVILLE ROAD.**

Requests Fireworks Display Permits for April 24, June 20, July 4, July 11 and September 5. All Bonds/Insurance, Fire Chief Approvals, and Fees are on File.

WORK SESSION ITEMS:

1. **COBBLESTONE CENTER PHASE 2, 8580 & 8590 SHERIDAN DRIVE.**

Location: North side of Sheridan Drive east of Harris Hill Road.

Description/History: Existing day care facility with a conceptually approved office component located on 5.25 +/- acres in the Restricted Business Zone.

Proposal: Applicant is proposing to modify the previously approved Concept Plan to amend the office building portion of the project. The applicant is proposing two mixed use structures in place of the previously approved office space. The mixed use spaces will include multiple family housing as well as potential medical office suites and small retail uses.

Master Plan: Area identified in a restricted business corridor.

Reason for Town Board Action: Modification to the previously approved project will now require a Special Exception Use Permit for multiple family housing portion of the project.

Issues: Referral to the Planning Board will initiate formal review of the project.

2. MCGUIRE DEVELOPMENT, 5989 TRANSIT ROAD.

Location: Southeast corner of Transit Road and Clarence Center Road.

Description/History: Existing vacant and residential property located in the Commercial Zone.

Proposal: Applicant is proposing to demolish the existing residential structure and construct a new commercial plaza with Tim Horton's Drive-thru.

Master Plan: Area identified in a Commercial Zone.

Reason for Town Board Action: The Town Board is Lead Agency under SEQRA and will have final approval authority for the land use via a Special Exception Use Permit for the Drive-thru Facility.

Issues: A variance is required for the east side setback and a public hearing is scheduled for 4/14/15 to hear this request. A public hearing will be required to consider the Special Exception Use Permit.