

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: November 10, 2016

Re: November 16, 2016 Town Board Agenda

Following is a review/analysis of the items listed on the November 16, 2016 Town Board Meeting agenda:

PUBLIC HEARINGS:

1. ANNUAL RENEWAL OF EXCAVATION PERMITS.

Per the Town of Clarence Excavation Law, the Town Board annually approves excavation permits. This year there are 4 requests, all of which were approved last year. Each applicant must submit their respective NYSDEC mining permits, bonds and corresponding fees before being placed on the formal Town Board agenda. Renewal requests are from:

1. Buffalo Crushed Stone
2. Emeritus Holdings
3. Lakeside Sod
4. Michael Development (formerly 10001 Grand Corporation)

2. STEPHEN DEVELOPMENT/FOUNTAIN COURT MIXED USE PROEJCT, 9560 MAIN STREET.

Location: North side of Main Street, north and east of Gunville Road.

Description/History: Existing vacant motel and property located in the Commercial and Residential Zones.

Proposal: Applicant is proposing to demolish the motel and construct a new mixed use development including 24 total apartment units and commercial space along the Main street frontage. The project also includes a 2-lot Open Development Area to the north that will provide a buffer to adjoining large lot residential uses.

Master Plan: Area identified in a commercial classification.

Reason for Town Board Action: Per the Zoning Law the Town Board has final approval authority to allow for multiple family residential uses via a Special Exception Use Permit.

Issues: A public hearing is required to consider the Special Exception Use Permit. The ZBA has granted an area variance to allow for the 24 total residential units and the Planning Board has forwarded a recommendation on the project.

3. PAUL SKOWRON, 4865 MEADOWBROOK ROAD

Location: East side of Meadowbrook Road, north of Sheridan Drive.

Description/History: Existing residential property located in the Residential Single Family zone

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Local Historic Preservation Law, the Town Board has final approval authority to grant local landmark status to structures.

Issues: The Historic Preservation Commission has forwarded a recommendation to grant local landmark status on this property.

4. PAUL AND ROSE DABROWSKI, 4760 GOODRICH ROAD.

Location: West side of Goodrich Road, north of Main Street.

Description/History: Existing residential property located in the Residential single Family Zone.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Local Historic Preservation Law, the Town Board has final approval authority to grant local landmark status to structures.

Issues: The Historic Preservation Commission has forwarded a recommendation to grant local landmark status on this property.

FORMAL AGENDA ITEMS:

1. JOSEPH PANDOLFINO, 5036 SHALE BLUFF.

Location: East side of Shale Bluff south of Rockledge in the Spaulding Lake Subdivision.

Description/History: Existing residential home located in the Spaulding Lake Planned Unit Residential Development (PURD)

Proposal: Applicant is proposing to add a secondary living unit (in-law apartment) to the existing single family home.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Zoning Law, a secondary living unit may be considered via a Special Exception Use Permit.

Issues: A public hearing will be required to consider the permit.

WORK SESSION ITEMS:

1. RUSSELL SALVATORE JR./THE ABBY, 6449 TRANSIT ROAD.

Location: East side of Transit Road, north of Old Post Road.

Description/History: Existing previously approved mixed use project located in the Major Arterial Zone.

Proposal: Applicant is seeking approval for an amendment to the previously approved Special Exception Use Permit stipulating a brick façade on all exterior building sides.

Master Plan: Area identified in a commercial classification.

Reason for Town Board Action: the Town Board issued a Special Exception Use Permit on this project that is currently under construction. The Town Board has the authority to modify any conditions of approval.

Issues: The applicant is proposing to modify the structure to remove the brick façade from the rear (east facing) exterior wall and portions of the side (north/south facing) walls. Alternative decorative designs have been submitted for review.

2. CIMATO BROTHERS/NORTHWOODS SUBDIVISION.

Location: South side of Roll Road, east of Shimerville Road.

Description/History: Previously approved Open Space Design Subdivision located in the Residential Single Family Zone

Proposal: The applicant is seeking Final Plat Approval for Phase 1 containing 46 lots. This will include public road dedication for approximately 2600 linear feet of Marguerites Way; approximately 520 liner feet of Roberts Grove; and approximately 740 linear feet of Brianna's Nook.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Subdivision Law the Town board has final approval authority for Final Plats and public road dedications.

Issues: Formal dedication of the required easements for the recreational trail through the project are required prior to final plat approval. Also, construction of a wetland mitigation area must receive a separate approval by the Town Board under a Clearing Filling and Grading Permit.