

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: May 7, 2015

Re: May 13, 2015 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the 5/13/15 Town Board Agenda:

PUBLIC HEARINGS:

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.

FORMAL AGENDA ITEMS:

1. **ERIC LIPKE, 6595 MEGHAN ROSE WAY**

Location: South of County Road.

Description/History: Existing Single Family Residence located within an Open Development.

Proposal: Applicant is requesting a Public Hearing to consider a Special Exception Use Permit for a detached Secondary Living Unit.

Master Plan: Area identified in an Agricultural Rural Residential Zone.

Reason for Town Board Action: A Public Hearing will need to be set in order to consider a Special Exception Use Permit.

Issues: The Building Department issued a permit for the construction of a detached accessory structure (garage space below, game room above). During the construction process, the second floor area took on characteristics of a Secondary Living Unit. The Building Department is holding the issuance of the final C/O until the Town Board grants the applicant a Special Exception Use Permit for a Secondary Living Unit.

2. HOLLOW BISTRO, 10641-10647 MAIN STREET

Location: South of Main Street, east of Ransom and west of Sawmill Road.

Description/History: Existing Restaurant located in the Traditional Neighborhood District. Proposed addition Concept Plan and Architectural Style Recommended for approval by the Planning Board on 4-22-15.

Proposal: Applicant is requesting 2,000 (+/-) square feet of additional restaurant space attached to the existing building.

Master Plan: Area identified in a Traditional Neighborhood District.

Reason for Town Board Action: To consider approval of Site Plan and Architectural Style for proposed addition.

Issues: Any approvals will be subject to Building and Engineering approvals as well as NYS DOT approvals. The Planning Board requested that the applicant consider more historically sensitive features on the addition's entrance area. The Planning Board also requested that the applicant consider options to provide a landscaped buffer at the rear of the property in an effort to buffer adjacent neighbors in the rear. Finally, the Planning Board requested that the rearmost entrance be better equipped to accommodate pedestrian ingress and egress.

3. PENNY LANE CAFÉ, 10255 MAIN STREET.

Location: Southeast corner of Main Street and Shisler Road within the Clarence Courtyard Plaza.

Description/History: Existing commercial space located in the Clarence Hollow TND.

Proposal: Applicant is proposing outside dining as a part of the restaurant use.

Master Plan: Area identified in the Clarence Hollow TND.

Reason for Town Board Action: Per the Zoning Law the town Board may consider outside dining areas via a Temporary conditional Permit.

Issues: A public hearing will be required to consider the permit. Number of tables and hours of operation.

WORK SESSION ITEMS:

1. **CIMATO FAMILY BUSINESS PARK.**

Location: South side of County Road, west of Goodrich Road.

Description/History: Previously approved Industrial Business park located in the Industrial Business Park Zone.

Proposal: Applicant is seeking Out of District Approval for connection through Clarence sewer District #2

Master Plan: Area identified in an industrial zone.

Reason for Town Board Action: As commissioners of CSD #2 , the Town Board has authority to approve Out of District Agreements.

Issues: The applicant is limited to 11 “taps” that were previously acquired. Erie County Sewer District #5 Board of Managers has approved the agreement.