

Memo

To: Town Board Members
From: James B. Callahan, Director of Community Development
CC: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce
Date: 6/8/2012
Re: June 13, 2012 Town board Meeting Agenda

PUBLIC HEARINGS:

1. AFFORDABLE SENIOR HOUSING OF NEW YORK, 8040 ROLL ROAD.

A. Location: North side of Roll Road, east of Transit Road.

Description/History: Existing vacant and residential property containing 9+/- acres in the Commercial and Residential Single-Family Zone.

Proposal: Applicant is proposing to develop a 3-story senior apartment complex containing 125 units with associated parking and landscaping.

Master Plan: The Town Board recently approved a Master Plan 2015 Amendment to allow for Commercial and Restricted Business Zoning on the property.

Reason for Town Board Action: Per the Zoning Law, the Town Board is the final authority for zoning amendments.

Issues: The Planning Board has forwarded a recommendation to proceed with the required Zoning Map amendments. A Negative Declaration under SEQRA was previously issued by the Town Board on the proposed zoning amendment.

B. Location: North side of Roll Road, east of Transit Road.

Description/History: Existing vacant and residential property containing 9+/- acres in the Commercial and Residential Single-Family Zone.

Proposal: Applicant is proposing to develop a 3-story senior apartment complex containing 125 units with associated parking and landscaping.

Master Plan: The Town Board recently approved a Master Plan 2015 Amendment to allow for Commercial and Restricted Business Zoning on the property.

Reason for Town Board Action: Per the Zoning Law, the Town Board is the final authority for issuing Special Exception Use Permits, required for multi-family housing in the Commercial and Restricted Business Zones.

Issues: The Planning Board has approved the Concept Plan as amended. A Negative Declaration under SEQRA was previously issued by the Town Board. The Planning Board has forwarded a positive recommendation to issue the Special Exception Use Permit on the project as amended.

2. KURT FEATHER/DUFF'S FAMOUS WINGS, EASTERN HILLS MALL, 4545 TRANSIT ROAD.

Location: East side of Transit Road, north of Main Street.

Description/History: Existing vacant restaurant space within existing shopping mall located in the Major Arterial Zone.

Proposal: Applicant is seeking a Temporary Conditional Permit for outside dining.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final review and approval authority for Temporary Conditional Permits.

Issues: A public hearing is required to consider the permit.

3. VALLEY GRILL, 10651 MAIN STREET.

Location: Southwest corner of Main Street and Sawmill Road.

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

Proposal: Applicant is proposing an area for outside dining.

Reason for Town Board Action: Per the Zoning Law, the Town Board may approve outside dining with a Temporary Conditional Permit.

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

FORMAL AGENDA ITEMS:

1. KELLY MARQUART, 6105 SALT ROAD.

Location: East side of Slat Road north of Clarence Center road.

Description/History: Existing vacant parcel located in the Agriculture Rural Residential Zone.

Proposal: Applicant is proposing to develop a single-family home and is requesting a secondary living unit be developed as a part of the permit

Master Plan: Area identified in an agricultural district.

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

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

2. TOWNE MINI, 8230-8240 MAIN STREET.

Location: Northwest corner of Main Street and Westwood Drive.

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

Proposal: Applicant is seeking approval to develop an automotive sales/service operation. Action will require a Special Exception Use Permit from the Town Board.

Master Plan: Area identified in a commercial classification and at the western edge of the Harris Hill TND.

Reason for Town Board Action: Per the Zoning Law, the Town Board has authority to issue Special Exception Use Permits for Automotive Uses.

Issues: The Planning Board has approved the Concept Plan and forwarded a recommendation on the Special Exception Use Permit. A Negative Declaration under SEQRA was issued by the Town Board on the project. A public hearing will be required to consider the permit.

3. NIAGARA COUNTY PRODUCE, 8555-8615 TRANSIT ROAD.

Location: East side of Transit Road, south of Tonawanda Creek.

Description/History: Existing retail produce market located within the Major Arterial Zone.

Proposal: Applicant is proposing to construct a new facility.

Master Plan: Area identified in a commercial classification.

Reason for Town Board Action: As the full build out will exceed 50,000 square feet, a Special Exception Use Permit as issued by the Town Board will be required.

Issues: The Planning Board has approved the concept and forwarded a recommendation on the Special Exception Use Permit. A Negative Declaration under SEQRA has been issued on the project. A public hearing will be required to consider the permit.

4. ANNUAL RENEWAL OF EXCAVATION PERMITS.

A. BUFFALO CRUSHED STONE—All permit fees, bonds, tax receipts, DEC Permits and estimates are in order.

B. EMERITUS HOLDINGS—All permit fees, bonds, tax receipts, DEC Permits and estimates are in order.

C. 10000 GRAND CORPORATION—All permit fees, bonds, tax receipts, DEC Permits and estimates are in order.

D. LAKESIDE SOD—All permit fees, bonds, tax receipts, DEC Permits and estimates are in order.

Reason for Town Board Action: Per the Excavation Law, the Town Board has authority to renew permits.

WORK SESSION ITEMS:

1. HARRIS HILL COMMONS

Location: West side of Harris Hill Road between Sheridan Drive and Greiner Road.

Description/History: Existing vacant land located in the Residential Single-Family Zone.

Proposal: Applicant is proposing to develop an Open Space Design Subdivision consisting of 70 +/- sublots on 62.73 +/- acres.

Master Plan: Area identified in a residential classification. Adjoining Sheridan Drive frontage located in a commercial classification.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final authority to approve Open Space Design Developments.

Issues: Formation of a sewer district to service the project is the principal issue. Isolation of the adjoining frontage on Sheridan Drive and Greiner Road is another factor in framing a comprehensive review of the proposed project. Referral to the Planning board would initiate a formal review of the proposal.

2. MAIN/BARTON MASTER PLAN 2015 AMENDMENT, 9105 and 9125 MAIN STREET.

Location: South side of Main Street at the intersection with Barton Road.

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

Proposal: Applicant is seeking a Master Plan Amendment to allow for a commercial zoning classification on the two corner lots.

Master Plan: Area currently identified as residential per the original Map Cover for the White Acres Subdivision Approval.

Reason for Town Board Action: As stewards of Master Plan 2015, the Town Board has ultimate authority to amend the Future Land Use Map within MP 2015.

Issues: The Planning Board has forwarded a recommendation to amend the Future land Use Map at 9105 and 9125 Main Street to identify commercial zoning. As a part of the recommendation it is identified that a specific zoning classification would be considered at a future date under a separate application for a change in use on the property. Limiting factors associated with the future land use of the property include lot size and required setbacks to adjoining residential properties as well as the lack of public sewers.