INTEROFFICE MEMORANDUM

TO: TOWN BOARD MEMBERS

FROM: JAMES B. CALLAHAN, DIRECTOR OF COMMUNITY DEVELOPMENT

SUBJECT: AUGUST 28, 2013 TOWN BOARD MEETING AGENDA

DATE: AUGUST 22, 2013

CC: TOWN ATTORNEY, TOWN CLERK, TOWN ENGINEER, SENIOR CODE ENFORCEMENT OFFICER, PLANNING BOARD MEMBERS, CHAMBER OF COMMERCE

Following is a review/analysis of the items listed on the August 28, 2013 Town Board Meeting Agenda:

FORMAL AGENDA ITEMS:

1. RICK DIVITA, 10550 KELLER ROAD.

Location: North side of Keller Road west of Salt Road.

Description/History: Existing residential property located on 4.9 +/- acres in the Agriculture Rural Residential Zone.

Proposal: Applicant is seeking approval to construct a separate in-law apartment on the property.

Master Plan: Area located in an agricultural zone.

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.

2. JOHN AND FLORA LEAMER, 6150 GOODRICH ROAD.

Location: West side of Goodrich Road, south of the Peanut Line Recreational Trail.

Description/History: Existing residential and vacant property, consisting of 4.5 +/- acres and located within the Clarence Center Traditional Neighborhood District and Overlay Zone.

Master Plan: Property located within the TND and Clarence Center Overlay.

Proposal: Applicant is proposing to split the existing single family residential home and develop a 16 unit multiple family residential project on the vacant parcel.

Reason for Town Board Action: Per the Zoning Law, the Town Board may approve Multiple Family Residential projects in the TND with a Special Exception Use Permit.

Issues: The Planning Board has forwarded a recommendation to approve the project with conditions.

3. NORTHWOODS OPEN SPACE DESIGN SUBDIVISION.

Location: North side of Greiner Road between Shimerville Road and Thompson Road.

Description/History: Existing vacant agricultural land located within the Residential Single Family Zone.

Master Plan: Area identified in a residential classification.

Proposal: Applicant is proposing to develop a 148 +/- lot Open Space Design Subdivision. The final step in the SEQRA review process is the adoption of a Final Findings Statement.

Reason for Town Board Action: The Town Board is Lead Agency under SEQRA and makes the final determinations and findings associated with the development proposal.

Issues: The Planning Board has forwarded a recommendation on the Final Findings Statement.

4. ESSEX WATERFORD GREENS, WATERFORD PURD

Location: North side of Roll Road, east of Dana Marie Parkway.

Description/History: Existing vacant land that previously received site plan approval for development of 100 +/- patio home units.

Master Plan: Area identified in a residential classification.

Proposal: Applicant would like to amend the previously approved plans by eliminating sidewalks throughout this phase of the development and receive final Site Plan Approval to begin construction on the amended design.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final review and approval authority for amendments to the existing Planned Unit Residential Development (PURD).

Issues: The Planning Board had previously recommended the proposed amendment to eliminate sidewalks from this phase. Final site plan review will require Engineering Department review and approval of the detailed Civil Drawings, which are pending.

5. STEPHEN DEVELOPMENT, 9560 MAIN STREET.

Location: North side of Main Street, across from Clarence Senior High School.

Description/History: Existing vacant motel located on 7.4 +/- acres with split zoning identifying the frontage as Commercial and the rear of the property as Residential Single Family.

Master Plan: Frontage identified as commercial with a buffer of Residential Single Family to the north.

Proposal: Applicant is proposing a mixed use development, including multiple family housing on the Commercial portion of the property—approximately 3.04 acres. No plans are identified for the Residential Single Family portion of the property.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final review and approval authority for multiple family residential projects in the commercial zone.

Issues: As submitted, the proposed site plan is in violation of the required density for unsewered commercial zones. The proposed density for the project is approximately 8 units per acre and the recently adopted regulations identify a maximum density of 4 units per acre. If the entire property is utilized for the density calculation, the project will meet requirements.

6. REGENT DEVELOPMENT/BROTHERS OF MERCY, 4520 RANSOM ROAD.

Location: Northwest corner of Ransom Road and Bergtold Road.

Description/History: Existing nursing/rehabilitation and residential property located on a 92 +/- acre campus in the Restricted Business Zone.

Master Plan: property identified in a Restricted Business Zone.

Proposal: Applicant is proposing to develop additional senior housing on the property.

Reason for Town Board Action: Multiple Family Residential uses will require a Special Exception Use Permit as issued by the Town Board.

Issues: The proposed project does not add the required commercial component to the plan and the third story is in violation of the recently adopted code—these items will most likely require review and approval by the ZBA to vary the code accordingly.. A supermajority approval by the Town Board will be required.

7. KENYON BROTHERS, 8250 MAIN STREET.

Location: Northeast corner of Main Street and Westwood Road.

Description/History: Existing gas service station located in the Traditional Neighborhood District.

Master Plan: Area identified in the Harris Hill TND.

Proposal: Applicant is proposing a complete reconstruction of the property, including new tanks, gas service island with canopy, and convenience store with drive thru.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final approval authority for architectural style in the TND and approval of drive-thru's via a Special Exception Use Permit.

Issues: The existing use of a gas station is considered a pre-existing non conforming use. The convenience store is considered a permitted use in the TND but site plan and Special Exception Use Permits are Town Board approval matters.

8. WOODLAND HILLS AND HARRIS HILL COMMONS

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

Description/History: Existing conceptually approved residential subdivisions consisting of 77 and 66 lots.

Master Plan: Area identified in a residential single family classification.

Proposal: Applicants are requesting the formation of a Town Sewer District to service the developments.

Reason for Town Board Action: The Town has the authority to create sewer districts per NYS Law.

Issues: Finalization of an agreement between the applicants and the Town to provide a mechanism and funding for a future trunk sewer line.