

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: 4/20/2012
Re: April 25, 2012 Town Board Meeting Agenda

PUBLIC HEARINGS:

1. ANNUAL RENEWAL OF EXISTING TEMPORARY CONDITIONAL PERMITS: (see separate spread sheet for details)

- a. Hoemann Auto, 8310 Goodrich Road, Automotive Service
- b. Towne Mini, 8200-8230 Main Street, Automotive Display
- c. Autobahn Collision, 8200 Main Street, Automotive Collision
- d. Miranda Automotive, 8925 Sheridan Drive, Automotive Service
- e. K&A landscaping, 8925 Sheridan Drive, Outdoor Storage
- f. William Richer III, 9855 Martin Road (County Road), Roadside Stand
- g. Rocco's Pizza, 5433 Transit Road, Outside Dining
- h. Calhoun Automotive Detail, 8145 Sheridan Drive, Automotive Detail Shop
- i. Louie's Car Clinic, 9393 Main Street, Automotive Sales
- j. GC Supply Inc., 9992 Main Street, Outside Display
- k. Sweet Melody's, 8485 Transit Road, Outside Dining
- l. At Your Service Car Care, 9620 County Road, Automotive Service
- m. Gianni Mazias, 10325 Main Street, Outside Dining

2. KATIE YU, 10641 MAIN STREET.

Location: South side of Main Street, east of Ransom Road.

Description/History: Existing restaurant located in the Clarence Hollow Traditional Neighborhood District.

Proposal: Applicant is proposing to establish an outside dining area.

Master Plan: Area identified within the Clarence Hollow TND

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

Issues: A public hearing is required prior to action.

FORMAL AGENDA ITEMS:

1. DAN SNYDER, 5655 NEWHOUSE ROAD.

Location: Northeast corner of Roll and Newhouse Roads.

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

Proposal: Applicant is seeking approval for a fireworks display permit for July 4, 2012.

Reason for Town Board Action: Per State Law, the Town Board may have authority to approve fireworks displays.

Issues: All fees, insurance, site plan and fire chief reviews are in the file.

2. SPAULDING GREENS, LLC

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

Description/History: Existing, previously approved open space design subdivision.

Proposal: Applicant is seeking approval to remove a portion of stripped topsoil that currently exists in separate piles on the property from road and pond construction.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Excavation Law, the Town Board has final authority to approve topsoil removal from approved projects.

Issues: The applicant will need to provide assurance that adequate topsoil exists on site to accommodate full build out of homes.

WORK SESSION ITEMS:

1. AFFORDABLE SENIOR HOUSING OF WNY, 8040 ROLL ROAD.

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 as well as Special Exception Use Permits, required for multi-family housing in the Commercial and Restricted Business Zones.

Issues: The Planning Board is reviewing the concept. Two separate public hearings will be required to consider the rezoning as previously recommended and the Special Exception Use Permit.

2. ADAMBOMB PRODUCTIONS, EASTERN HILLS MALL, 4545 TRANSIT ROAD.

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

Description/History: Existing shopping mall located in the Major Arterial Zone.

Proposal: Applicant is proposing a day long special event in the Eastern Hills Mall parking Lot.

Reason for Town Board Action: Per the Special Event Law, the Town Board may approve community wide special events.

Issues: Public safety agency notification and building code requirements.

3. SANJAY & GEETA SETHI, 8295 ROYAL ASCOT CIRCLE.

Location: End of the cul-de-sac at Royal Ascot Circle within the Manchester Park Subdivision.

Description/History: Existing home on a residential lot in the Residential Single-Family Zone.

Proposal: Applicant is seeking approval to construct a secondary living unit (in-law apartment) at existing home.

Master Plan: Area identified in a residential classification.

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 is required prior to action on the request. All conditions as established within the Zoning Law must be met.

4. WOODLAND HILLS SUBDIVISION

Location: South side of Greiner Road, east of Harris Hill Road.

Description/History: Previously approved concept for a 77 lot subdivision. In August 2010 the Town Board issued a Negative Declaration under SEQRA for sewer district formation. Conditions of this Negative Declaration included NYSDEC identification that downstream capacity at peak flow existed to accommodate the new subdivision and that the district be an expansion of Erie County Sewer District #5.

Proposal: Applicant is seeking Town Board approval to create a new Town sewer district to service the proposed new subdivision.

Master Plan: Subdivision area identified in a residential classification. The adopted Master Sewer Plan, a component of Master Plan 2015, identifies a trunk sewer line paralleling Harris Hill Road to the Peanut Line to service the Harris Hill community. The sewer priorities as identified in Master Plan 2015 include the buildout within existing sewer district boundaries and the servicing of the Harris Hill area as the top priorities.

Reason for Town Board Action: The Town Board has authority to create or extend Town sewer districts.

Issues: The NYSDEC has identified that downstream capacity does exist through and within the Erie County Sewer District #5 system to accommodate the proposed subdivision. Previous action by Town Board identified an overall community benefit to expand the County Sewer District in a more comprehensive fashion in an attempt to meet long term goals of the community. Consideration of isolated Town sewer districts should also work to achieve long term community goals as identified in Master Plan 2015.