

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: 3/22/2013
Re: March 27, 2013 Town Board Meeting Agenda

PUBLIC HEARINGS:

1. ALEX PETERS/KRAFTMASCHINE, 9265 MAIN STREET.

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

Description/History: Existing commercial structure located in the Commercial Zone.

Proposal: Applicant is proposing to utilize the rear of the existing commercial building to operate a high end automotive service use.

Master Plan: Area identified in a commercial classification.

Reason for Town Board Action: Per the Zoning Law, an automotive service use within the Commercial Zone may be approved with a Temporary Conditional Permit.

Issues: The use is proposed within the rear of the existing commercial space. Limited and small scale operation will not require a large amount of outdoor storage—use almost exclusively inside the garage area.

FORMAL AGENDA ITEMS:

1. HARRIS HILL COMMONS OPEN SPACE DESIGN SUBDIVISION.

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

Description/History: Existing vacant land consisting of 66 +/- acres in the Residential Single Family Zone.

Proposal: Applicant is seeking a final action under SEQRA and concept approval for a 66 lot Open Space Design Subdivision and including the creation of a Town Sewer District.

Master Plan: Area identified in a residential classification.

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

Issues: Creation of a Town Sewer District in conformance with Master Plan 2015 and the Master Sewer Plan as well as providing a regional solution for sewer access.

2. ANNUAL RENEWAL OF TEMPORARY CONDITIONAL PERMITS:

PREVIOUS 1 YEAR PERMIT RENEWALS

1. Welding and Fabricating, Inc., Edward Strickland, 5880 Salt Road (Welding/Fabricating TCP) - Date of origin 6/28/2006
2. Sturdi Sheds, David Delagrange, 4545 Transit Road (Eastern Hills Mall) (Outside Display TCP) - Date of origin 6/8/2011
3. CAM Services, Christopher Morgan, 10165 Main Street (Outside Display TCP) – Date of origin 3/24/2010
4. EA Metzinger Trucking, Inc., Gene Metzinger, 8325 Transit Road (Auto Service TCP) – 6/8/2011
5. McDuffie's Bakery, Brian Thomas, 9920 Main Street (Outside Dining TCP) – Date of origin 7/13/2011
6. Zoe's Restaurant, Shelia Bailey, 5701 Transit Road (Outside Dining TCP) – Date of origin 8/10/2011

PREVIOUS 5 YEAR PERMIT RENEWALS

1. Seitz Paving, Larry Engasser, 8346 County Road (Paving Business TCP) – Date of origin 10/17/2001
2. GCR Landscaping, Gregory Ribbeck, 5750 Shimerville (Landscaping Business TCP) – Date of origin 11/19/2001
3. Caffe Espresso, Rose Parlato, 4401 Transit Road (Outside Dining TCP) – Date of origin 4/11/2001
4. Burghardt Landscaping, David Burghardt, 8694 Lapp Road (Landscaping Business TCP) – Date of origin 5/23/2001

3. LAVOCAT FAMILY NURSERY, 8441 COUNTY ROAD.

Location: South side of County Road, east of Westminster Drive.

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

Proposal: Applicant is proposing to construct a nursery/greenhouse operation and including a parking area for customers in the agricultural zone. The use is identified as a permitted use in the Agriculture Rural Residential Zone.

Master Plan: Area identified in an agricultural classification.

Reason for Town Board Action: The Town Board has asked to review this project which has been identified as a permitted use in this zone.

Issues: Neighbors have forwarded concerns associated with a commercial use at this location. NYS Agriculture and Markets has identified that the operator has legal right to sell products grown/produced on the property as a retail operation.

WORK SESSION ITEMS:

1. DOUGLAS KLOTZBACH/VICTORIA PARK, 10225 MAIN STREET.

Location: Southwest corner of Main Street and Shisler Road.

Description/History: Existing commercial plaza located in the Clarence Hollow TND. The overall site plan was originally approved in concept to include 3 buildings and 35,000 +/- square feet of space. The project was originally built with just 2 buildings and a total of 25,050 square feet of space.

Proposal: Applicant is proposing to build the third commercial building at the northeast corner of the property. The proposed new structure will include 8,700 +/- square feet of space, bring the total buildout to 33,750 square feet.

Master Plan: Area identified within a commercial classification and within the Clarence Hollow TND.

Reason for Town Board Action: Per the Zoning Law, cumulative structures greater than 30,000 square feet within the TND will require a Special Exception Use Permit as issued by the Town Board. In addition, the Town Board has final approval authority for the architectural style within the TND.

Issues: The Planning Board has forwarded a recommendation to allow the Special Exception Use Permit. A Negative Declaration under SEQRA was previously issued by the Town Board on the project.