

**Municipal Review Committee
Town Hall Auditorium**

**February 23, 2004
6:00 p.m.**

Attendance: Phil Sgamma, Chairperson
Dan Michnik, MRC Member
Matt Balling, MRC Member
Paul Shear, MRC Member
Rich McNamara, MRC Member
Scott Bylewski, Town Board Liaison
Jeff Grenzebach, Planning Board Liaison
James Callahan, Ex-Officio Member, Dir. of Community Development
James Hartz, Asst. Dir. Of Community Development
Tom Hollander
Joe Strapeson
Lily Jewitt
Nancy Bergum
Carol Minnick
Dolores Liebner
Andre Pigeon
Mike Williams
Gene Jason
Glen Cooley
Mike Metzger
Angelo Natale

ACTION: Motion by Rich McNamara, seconded by Dan Michnik, that the board approve the minutes from the public hearing.

VOTING: All Ayes. **MOTION PASSED**

Agenda Item I – Gene Jason Stage/Schurr Subdivision

Jim Callahan gave a brief history of the review process to date. The Erie County DEP responded to our solicitation for Lead Agency status. They recommended that the Town of Newstead be notified of the proposed action. The Town of Newstead and Village of Akron comprehensive plan shows the land adjacent to the East of the property zoned Industrial. The Town has received no response from the Town of Newstead to-date. The NYSDEC has some concerns over a wetland located on the property. There is also some concern over archeological resources.

Gene Jason described his proposed project and, specifically, the DEC Wetland Delineation that has effectively cut his property in two. Glen Cooley from E&M Engineers said that Don Wilson is drafting up the report and will be submitting it shortly. They will be meeting with DEC when that report is complete. Gene Jason said that they believe that they need two ingress/egress points for the subdivision. He said that they

have enough property to mitigate on-site. Phil Sgamma said that they will need to see those reports before they can make a recommendation.

Matt Balling said that it might be beneficial to look at creating a connection to the northerly parcel, but the wetlands delineation really limits what you can do there. Gene Jason said they would consider transferring title of the wetland area and northern property to the Town or independent conservancy for long-term maintenance. Dan Michnik asked if Mr. Jason owned the property to the East.

Paul Shear questioned the private ownership of the State Wetland area. The DEC does not like to extend private ownership into these areas. The lots numbered 20, 21, & 1 are going to own a piece of the wetland. Glen Cooley said that they would be meeting with DEC to go over the wetland plan.

Phil Sgamma asked if the lots were all $\frac{3}{4}$ acre minimum. Glen Cooley said that they were. Phil Sgamma then said that the Master Plan recommendations for this area would require a minimum 1.33 acre lot size. He believes that the Town is still allowing lots sized according to the existing Zoning Law. There will also have to be an archeological study completed. They will not be able to complete that until the weather breaks.

ACTION: Motion by Paul Shear, seconded by Dan Michnik, that the board table this project until the DEC wetland issues have been resolved and we have an archeological report.

VOTING: All Ayes.

MOTION PASSED

Agenda Item II – Natale Open Development Area

Jim Callahan gave a brief presentation of the review history to-date. Angelo Natale said that he is planning to build some high-end housing on the property. Phil Sgamma said that there is some standing water on the property now. Jim Callahan said that there are some soils that may have a potential for hydric inclusions. Angelo Natale said that if there are any wetlands, then they would be isolated to the rear (East) of the property. He said that they have not performed any engineering studies on the property yet. Phil Sgamma asked that he perform a wetland delineation.

The project is classified as an Unlisted Action under SEQRA. Jim Callahan said that we will send the EAF to the ECDEP for their comments related to 239-m. Phil Sgamma said that there are some nice trees on the property. Angelo Natale said that he would be willing to grant a 40'-50' deed restricted buffer area for the new residents and adjoining property owners, similar to what he did on Lxor Lane.

Matt Balling said that the board may want to take a look at the frontage along this road. As these parcels that front along this road slowly become developed, we are losing opportunities to get a connecting road through in some manner to help traffic in the area.

Paul Shear asked Mr. Natale if the project would have sewers. Mr. Natale said that there would be septic systems installed on each property.

ACTION: Motion by Dan Michnik, seconded by Matt Balling, that the board recommends that the Town Board seeks Lead Agency and begins the minimum thirty-day comment period.

VOTING: All Ayes.

MOTION PASSED.

Agenda Item III – Master Chong’s Tae Kwon Do

Jim Callahan gave a brief presentation of the project. There was a federal wetland delineation on the property from a previous application. A vacant house will have to be demolished as part of the project. The applicant is only buying a piece of the parcel. He is leaving the rear 150’ to a homeowner on Roseville Lane.

ACTION: Motion by Paul Shear, seconded by Dan Michnik, that the board recommend to the Town Board that they seek Lead Agency status and begin the minimum thirty-day comment period.

VOTING: All Ayes.

MOTION PASSED.

Agenda Item IV – Holy Cross Lutheran Church

Don Albrecht, the architect for the project, gave a brief description of the project. Phil Sgamma asked for some clarification on the parking information submitted on the EAF part I. Don believes that there is enough parking to the rear of the facility. Paul Shear asked about the need for blasting. Don said that they believe there is no need to blast. The building is slab on grade. The bedrock is 1’-2’ below the surface. The board went through the EAF part II & III and identified no potentially significant impacts from the proposed addition.

ACTION: Motion by Matt Balling, seconded by Paul Shear, that the board recommend that the Town Board issue a Negative Declaration on this proposed action based on the findings from the EAF part II & III.

VOTING: All Ayes.

MOTION PASSED

Agenda Item V - Eastern Hills Corridor Plan

Jim Callahan gave a brief description of the project and requested that the board review the EAF form and all comments received to date. TVGA Engineering had prepared a report for the project under a grant from the Community Development Block Grant program. The board originally reviewed this project in late 2002 early 2003. We have completed a part II & III analysis and had held some public meetings regarding the project, which led to some amendments. The Town has received some funding for the project, so the board should move on the item next month.

ACTION: Motion by Dan Michnik, seconded by Phil Sgamma, that this proposed action be placed on the March Agenda.

VOTING: All Ayes.

Agenda Item VI - Gables on the Green

The board reviewed the comments made on the DEIS and the proposed responses to those comments that will become part of the FEIS for the project. (Proposed responses attached.)

The board established their next meeting time at March 22, 2004 at 7:00 p.m.

The meeting adjourned at 8:04 p.m.