

Committee Members Present:

Wendy Salvati, Chairperson
Lou Depowski
Dan Michnik
John Moulin
Paul Shear
Rich McNamara

Agenda Item I- Nesselbeck Heise Road Extension for 13 Agricultural Lots

ACTION: Motion by Dan Michnik, seconded by Rich McNamara, that the board table the item until the applicant is present.

VOTING: All Ayes. MOTION PASSED.

Agenda Item II- Grimm Business Park, 8670 Main Street

Ron Grimm could not be present due to another commitment. Jim Callahan described that he has received information from the agencies that were lacking at the last meeting. Wendy Salvati questioned the use of the property as a distribution facility. Jim Callahan suggested that the board base the negative declaration on the content of Mr. Grimm's letter. Mr. Grimm has a positive record of cleaning up properties.

ACTION: Motion by John Moulin, seconded by Paul Shear, that the board recommends that the Town Board issue a Negative Declaration based on the EAF part I & II, as well as outside agency correspondence. The use of the buildings is stated as cold storage warehousing. The Negative Declaration is based on the property not being used for distribution and no trucks larger than cube trucks accessing the property.

VOTING: All Ayes. MOTION PASSED.

**Agenda Item III- Transit Valley Gardens Patio Home Development (PURD)
5841 Transit Road – 50 units on 14.2 acres**

This project was reviewed previously as a sixty (60) unit townhouse project with a 10,000 square foot medical office building in 1998. We have received correspondence from the NYSDEC, NYSDOT, ECDEP, NYSOPRHP, and the Town of Amherst. Sean Hopkins was present for the developer and briefly described the project. There was a negative declaration issued by the Town Board on May 13, 1998 for a residential density of 3.8 units per acre. The current developer is only interested in developing the residential portion of the original PURD.

ACTION: Motion by Dan Michnik, seconded by John Moulin, that the board recommend to the Town Board that they issue a Negative Declaration on this proposed action at a residential density of 3.52 units/acre or 50 total units on 14.2 acres.

VOTING: All Ayes. **MOTION PASSED.**

Agenda Item IV- Ribbeck Open Development Area – 4 Residential lots w/ 2 frontage lots 18.5 acres at Shimerville Road and Clarence Center Roads.

Greg Ribbeck could not be present for the meeting. He has provided the missing items from the last meeting. The letter from a soils scientist was received saying that he believes there are no jurisdictional wetlands on the property. We have also received a letter from the NYSDEC Fish & Wildlife Division stating that there are no endangered or threatened species recorded in the area. Wendy Salvati stated that her only concern was with the preservation of some of the natural areas on the property. She would like to see the Planning Board address the preservation issue during its site plan review.

ACTION: Motion by Lou Depowski, seconded by John Moulin, that the board recommends a Negative Declaration on this project after reviewing the EAF part I & II as well as agency correspondence on potential impacts. The site plan should include the preservation of natural areas to reduce the large extent of lawn area described in the EAF part I.

VOTING: All Ayes. **MOTION PASSED**

Agenda Item V- Roy Jordan Open Development Area – 4 residential lots w/ 2 frontage lots. County Road - 56 acres.

This item was removed from the agenda pending the outcome of a wetlands delineation report.

**Agenda Item VI- Koby Environmental Business Park
10030 County Road**

Jim Callahan introduced the project. The two new buildings in the rear of the property need to be looked at for any soils issues.

ACTION: Motion by Lou Depowski, seconded by John Moulin, that the board recommend that the Town Board solicit for Lead Agency status and begin the minimum thirty (30) day comment period.

VOTING: All Ayes. **MOTION PASSED**

Agenda Item VII- Wexford Manor extension to the Waterford Village PURD

Bill Schutt was present to describe the Wexford Manor addition to the PURD. It is proposed to be eighteen (18) additional lots that will be like Residential-A lots. This would be an extension of a dead end street approximately 1,000 feet with associated utilities. Sean Hopkins said that this land also includes the continuation of the bike path to Clarence Center Road.

This land was looked at twice before when John Kausner proposed an open development area and when the Heise-Brookhaven Trunk sewer line was extended through this property.

ACTION: Motion by John Moulin, seconded by Dan Michnik, that the board recommends a Negative Declaration be issued by the Town Board based on the EAF part I & II and other agency correspondence. The land was also subject to two previous negative declarations for a sewer line extension and a proposed four (4) lot open development area.

VOTING: All Ayes.

MOTION PASSED.

Agenda Item VIII- Dana Marie extension to the Waterford Village PURD

Bill Schutt presented the plans for the additional 92 units on 14 acres of land immediately south of the Thompson Woods development. They are just now doing their wetland delineation and archeological study on the property. Bill said that the total unit count now on the Waterford Village proposal is 489 units. The total acreage is now 235 acres bringing the units per acre ratio to 2.08. The proposed Dana Marie parcel density is 6.57 units per acre includes the community facility land. The entire southern portion of Waterford Village is being redesigned to create more integration between land uses.

Paul Shear questioned the density calculation on the parcel. He said that the community facility portion with the parking lot should not be included. The density would then be about 7 units per acre.

Several residents from the Thompson Woods development were present to oppose the density of the development. Wayne Levan asked why the site plan did not include surrounding land uses. Bill Schutt said that this was a concept plan and that it could be amended to include anything the board wants. Wendy Salvati asked for aerial photographs of the site.

Rich McNamara asked about the effects of an electrical substation on surrounding properties. Jim Callahan said that there should be some analysis of the effects of that substation before the Town permits housing within 100' of the facility.

ACTION: Motion by Lou Depowski, seconded by Paul Shear, that the board recommend to the Town Board that they solicit for Lead Agency status and begin the minimum thirty (30) day comment period.

VOTING: All Ayes.

MOTION PASSED.

Agenda Item IX- Extension of Facilities, Clarence Sewer District #9 to service Hillcrest Drive and Sister's of St. Joseph/Claremont.

This item was removed from the agenda because the Town Board has already issued a Negative Declaration on this project based on the EAF part I & II.

**Agenda Item X- Fox Trace East Subdivision
92 Residential-A lots on 52 acres, just East of Harris Hill Road.**

The project was first introduced at the Town Board in May of 2003. The Town has received a letter from the NYSDEC that suggests suspending the review process until sewer capacity has been established for this area of Town. The Erie County Department of Environment & Planning has commented on the sewer capacity letter. Rob Pidanik stated many of the issues that were identified in 1998 have been addressed. Don Wilson, wetland biologist said that the wetland delineation report is not complete at this time. He had walked the site and prepared a report in 1995, but those reports expire after five years. The US Army Corp. of Engineers are using different criteria for wetland designation and there may be some jurisdictional wetlands on the property.

Sean Hopkins said that they acknowledge the fact that there may be some wetlands on the site and that it may affect the density of the subdivision. They will be required to get permits from the USACOE before constructing the subdivision, so they are looking for a recommendation for a negative declaration this evening. Don Wilson also said that the areas around the escarpment that are underlain with limestone have a potential for stiff leaf golden rod and tansy mustard plant occurrence. However, they were last observed in this area in the 1930's.

The office of NYSORPHP has sent a comment that they require additional information before making a determination. Sean Hopkins said that they have talked with the developer's archeologist, Carolyn Pierce, who said that the area of concern noted by the State was on a parcel sold off by the developer, and is not a part of this project anymore.

Jim Callahan said that the issue of sewers needs to be discussed. The Town has received a letter from Erie County Department of Sewerage Management saying that there is no capacity for this subdivision right now. Sean Hopkins stated that they have a letter from Charles Alessi saying that there is capacity available if they can obtain access to the Heise-Brookhaven Trunk Sewer. Sean Hopkins said that they are not going to do the project without sewers being

available. Wendy Salvati questioned how much reserved capacity is in the trunk sewer line. Sean Hopkins said that they are going to explore that issue. Sean Hopkins said that Steve Doleski said that he wanted the town to suspend review because he did not want the subdivision on individual septic fields.

Rich McNamara said that there are other areas of the Hollow that could use that reserved capacity other than a new subdivision. He questioned why the board would allow a new subdivision before areas of failing septic systems are sewered. He asked why Meadowbrook would not be hooked up before Fox Trace East. Sean Hopkins said that there may be people on Meadowbrook that just installed a septic field that do not want to hook into sewers. Paul Toms from Meadowbrook Drive said that Mr. Hopkins should not speculate on the resident's needs for the entire street.

ACTION: Motion by Wendy Salvati, seconded by Lou Depowski, that the board recommends to the Town Board that they issue a Negative Declaration, based on the EAF part I and II, and outside agency correspondence.

VOTING: Ayes: Salvati, Depowski, Michnik, Moulin

Nays: McNamara, Shear

MOTION PASSED

Agenda Item XI- Miscellaneous

It was discussed that the Gables on the Green DEIS has been submitted and that all members should have received a copy. We should all read the document and be prepared at the next meeting with comments regarding its adequacy for acceptance for public review.

The board established their next meeting date of November 17, 2003 at 7:00 p.m.

The meeting adjourned at 10:00 p.m.