

01/28/02

***Committee Members Attending:***

***Dan Michnik***

***Jeff Grenzebach, Chairman***

***Lou Depowski***

***Phil Sgamma***

***Eileen Boylan***

***Wendy Salvati***

**Agenda Item I: Ken Smith, (Nighthawk Towing) Temporary Conditional Permit 8310  
Goodrich Road**

Ken Smith has had an automotive operation at this address for over fifteen years. His buildings are already in place. The property is located within the flood zone. The operation includes mostly towing (80%) and auto repair (20%). He stores vehicles on his property temporarily until he takes them to be disposed of. He currently has about fifty vehicles on his lot. Many vehicles have to wait for insurance adjusters. Some vehicles are left after people abandon them once they receive their insurance payments. He gets rid of those vehicles about twice a year.

Jeff Grenzebach asked if they dispose of their chemicals properly. Ken said that they take the antifreeze out of the vehicles after they arrive and are put into 55 gal. drums and taken off-premises. The oil is sometimes used for home heating in some of the residences around the area. The total parcel area is about twenty acres.

Ken said that he is licensed for the towing business only. He does not have the NYS registration for auto repair or inspections because he needs town approval for that. Insurance carriers require that the vehicles be housed behind secured (fenced) in yards.

Eileen Boylan asked about the 100-yr floodplain. Ken said that he has never had water during flood events, except in the back of his property.

Phil Sgamma commented on the size of the existing building. Ken said that it is a 60' x 64' pole barn. He said that he stores some of his vehicles in there and does his repairs from inside the structure. Phil asked if there have ever been any complaints on his operation in the fifteen years he has been there. Ken said that he has never received any complaints from his neighbors.

**ACTION: Motion by Eileen Boylan, seconded by Wendy Salvati, that the board recommend to the Town Board, that they solicit for Lead Agency status and begin the coordinated review with a thirty-day comment period.**

**VOTING: All Ayes.**

**MOTION PASSED.**

**Agenda Item II: Forestbrook Farms – Strickler Road Applicant- Don Peronne**

Bob Reggentine from LandDesign presented the new wetland delineation overlaid on the old delineation to show any changes. This was the last remaining issue to be addressed. All of the agency correspondence was analyzed. Don Owens, from Earth Dimensions, performed the wetland delineation for the applicant.

Barb Guida asked Mr. Reggentine if there was any opportunity to connect to the sewers. Bob said that the location of the trunk line is well south of the proposed subdivision across Ransom Creek. Phil Sgamma said that they would not be able to tap into it anyway because there is restricted capacity.

Jim Callahan said that the property is located within the Agricultural Zoning District and that the proposed subdivision meets the requirements of the adopted comprehensive plan.

Phil Sgamma asked what kind of vegetation is on the property. Bob said that the area that they are developing is mostly scrub brush. There are some mature trees located in the federal jurisdictional wetland area.

**ACTION: Motion by Lou Depowski, seconded by Phil Sgamma, that the board recommend to the Town Board that a negative declaration be issued based on coordinated review, correspondence from involved agencies, and the EAF parts I, II, & III.**

**VOTING: All Ayes.**

**MOTION PASSED**

### **Agenda Item III: Vito Pace, Open Development Area 5485 Salt Road**

Luther Townsend, son-in-law of Vito Pace, presented plans for the project. He is requesting a three lot open development off of Salt Road. The total parcel area is about 10 acres. There were a couple of lots carved out of the original parcel. At one time they left enough room for a public road for a senior citizen development. Instead of doing that, they would like to do this open development.

Right now the applicant wants to build one house and leave the option open for building two more in the future. Under existing zoning laws, the property is not buildable because it is considered a substandard lot. There may be a problem with meeting the one hundred foot driveway separation requirement. The future private drive was always used as a driveway for the Townsend's residence until last summer.

The property is located within the Erie County Agricultural District, so an agricultural data statement will have to be prepared and sent to the County.

**ACTION: Motion by Wendy Salvati, seconded by Jeff Grenzebach, that the board recommend to the Town Board solicitation for Lead Agency status and to begin the thirty-day comment period.**

**VOTING: All Ayes.**

**MOTION PASSED**

### **Agenda Item IV: Jim Liolas, 8451 Sheridan Drive, Change in Use Permit and rezoning from residential to restricted business.**

This item was removed from the agenda due to the lack of information (site plan).

**Agenda Item V: Nextel Wireless Solutions Telecommunications Tower**

10000 County Road - 4.4 acres

Rick Trinidad from Nextel Solutions was present to answer questions relative to the application. He showed a propagation analysis of the site that shows a lack of coverage in the County Road area. A 150' tower height is the lowest they can go to create the coverage necessary for the network.

They are currently planning to lease the parcel with an option to buy at a later date. Phil Sgamma asked if they could co-locate on the existing tower at Adrian Bopp's land. Rick said that they would not be able to locate on the existing tower because the RF Engineer that they hire said that the location is not appropriate.

There may be an opportunity to create a higher tower and eliminate other towers from being constructed. By creating more room for carriers the Town may be able to eliminate the need for further towers. The proposed tower may be constructed to allow for future height extensions. Mr. Trinidad said, "in this area of town, there is a need for a minimum of two towers possibly three."

A wetlands analysis was performed that showed no presence of federal jurisdictional wetlands.

**ACTION: Motion by Phil Sgamma, seconded by Dan Michnik, that the board recommend a negative declaration to the Town Board based on the EAF parts I, II, & III.**

**VOTING: All Ayes.**

**MOTION PASSED**

Meeting Adjourned @ 8:30 p.m.