

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: 5/3/2013
Re: May8, 2013 Town Board Meeting Agenda

PUBLIC HEARINGS:

1. PROPERTY ACQUISITION, SOUTH OF SHERIDAN DRIVE AND EAST OF HARRIS HILL ROAD.

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

Description/History: Existing vacant land consisting of 20 +/- acres in the Residential Single Family Zone.

Proposal: Town is proposing to acquire the property under the Town Open Space Bond Act. The property is identified as a rare Oak Savanna Forest and the Town is pursuing grant monies under the Community Forestry Program for some of the costs associated with the preservation of forest lands.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: the Town Board has final approval authority to identify properties for long term preservation.

Issues: Grant application is due in June.

2. 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.

FORMAL AGENDA ITEMS:

1. ROCK THE BARN, 9015 MAIN STREET.

Location: south side of Main Street, east of Shimerville Road.

Description/History: Existing vacant land located in the Restricted Business Zone.

Proposal: Annual 2-day concert and promotion for Meals on Wheels scheduled for July 20 and 21.

Reason for Town Board Action: Per the Special Events Law, the Town Board has approval authority for large scale community wide events.

Issues: Coordination with emergency services.

2. DAY IN THE PARK, 10405 MAIN STREET.

Location: Clarence Main Park

Description/History: Existing Town Park

Proposal: Annual Fireworks Display.

Reason for Town Board Action: Per State Law, the Town Board has final approval authority for professional fireworks displays.

Issues: All fees, insurance and fire chief approvals have been submitted,

3. SPAULDING GREENS, LLC, SPAULDING GREENS OPEN SPACE DESIGN SUBDIVISION.

Location: South of Meadowglen Drive in Phase 5 of Spaulding Greens.

Description/History: Existing stockpiled topsoil in a completed phase of the development

Proposal: Applicant is seeking permission to remove topsoil that was previously stockpiled during the construction of project. The applicant has identified that enough topsoil remains stockpiled on the property to provide acceptable cover for all proposed housing units.

Reason for Town Board Action: Per the Subdivision Law, the Town Board has final authority to approve any removal of stockpiled materials.

Issues: A fee per the Town code has been submitted for removal of 10,000 c.y.

WORK SESSION ITEMS:

1. MCGUIRE DEVELOPMENT COMPANY, 8321 MAIN STREET.

Location: South side of Main Street, west of Susan Drive.

Description/History: Existing residential property consisting of 2.3 +/- acres in the Traditional Neighborhood District.

Proposal: Applicant is proposing to develop a 20,000 +/- square foot professional office building with associated parking and landscaping.

Master Plan: Area identified within the Harris Hill Traditional Neighborhood District.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final review and approval for structures over 10,000 square feet in the TND as well as final architectural approval.

Issues: Referral to the Planning Board will initiate formal review of the project.

2. GABE'S COLLISION, 5871 TRANSIT ROAD.

Location: East side of Transit Road, north of Highland Farms Drive.

Description/History: Proposed collision shop, car rental and used car showroom facility on 2.5+ acres in the Major Arterial Zone.

Proposal: Applicant is seeking Town Board approval of a Special Exception Use Permit to allow for the use to be developed at this location.

Master Plan: This area was part of the down-zoning of Transit Road in the 2008/09 Master Plan Amendment. Per the approved Master Plan 2015 Amendment of 2009, the area is to be zoned commercial.

Reason for Town Board Action: As the Planning Board has forwarded a recommendation to not allow the SEUP, the matter is at the Town Board for a determination on the request—the Town Board has final authority to approve SEUP's after a required public hearing.

Issues: An action under SEQRA will be required before taking a positive action on the item.

3. EASTERN HILLS MALL SPECIAL EVENTS

Location: Northwest region of the Eastern Hills Mall Property consisting of the parking lot along Transit Road.

Description/History: Existing parking area utilized for outdoor special events.

Proposal: The mall has provided a list of outdoor activities for the calendar year 2013. The Planning and Zoning Department with authorization from the Town Board may issue the necessary permits.

Reason for Town Board Action: Per the Special events Law, the Town Board has approval authority on certain special events.

Issues: Appropriate Town Departments and Regional Public Safety Agencies can be notified of the proposed events.