

Memo

To: Town Board Members

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: June 17, 2016

Re: June 22, 2016 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the June 22, 2016 town Board Agenda:

PUBLIC HEARINGS:

1. TEMPORARY MORATORIUM ON AUTOMOTIVE USES ALONG MAIN STREET

Location: Main Street Corridor between Westwood Road and Davison Road to include both the Traditional Neighborhood Zone and the Commercial Zone.

Description/History: The Town Board will consider a temporary moratorium on automotive uses along the Main Street Corridor. With a Comprehensive Plan in development and a Main Street Corridor Study underway, it is felt that certain automotive uses may not be in character or consistent with these long range planning efforts.

Proposal: The Town Board is considering a temporary moratorium on automotive uses. With the Auto Auction to the east of the Town and intensive automotive use along the Transit Road corridor, automotive uses have been encroaching into the Main Street corridor. The Town is working on long range planning efforts to set goals as to character and use along the Main Street corridor for the long term health and sustainability of the community and numerous additional automotive uses may not be compatible with such goals. This temporary moratorium will allow the Town to complete long range planning efforts and make any necessary Zoning Law amendments towards achieving the identified goals.

Master Plan: The Main Street corridor is currently divided into two different zoning classifications. The Harris Hill Traditional Neighborhood District (TND) runs from Westwood Road to Shimerville Road and the Clarence Hollow TND runs from Winding Lane to Davison Road. The area between these TND's is Commercial. The long range planning efforts are analyzing the corridor and the best long term uses to sustain community character. ⁴

Reason for Town Board Action: The Town Board has authority to adopt moratoriums as local laws. A public hearing is required prior to acting.

Issues: Any project that submitted an application prior to moratorium.

FORMAL AGENDA ITEMS:

1. GERTIES RESTAURANT, 6010 GOODRICH ROAD.

Location: West side of Goodrich Road, north of Clarence Center Road.

Description/History: Existing restaurant with existing outside dining area located in the Clarence Center TND.

Proposal: Applicant is proposing to have live music as a part of outside dining activities.

Master Plan: Area identified in the Clarence Center TND.

Reason for Town Board Action: Per the Zoning Law the Town Board may consider outside dining and activities via a Temporary Conditional Permit.

Issues: Hours of outside activities and noise limitations.

2. SEAN HOPKINS/ROLL ROAD SUBDIVISION.

Location: North side of Roll Road, west of Martha's Vinyard Subdivision.

Description/History: Existing vacant land located in the Residential Single Family Zone and within Clarence Sewer District #2.

Proposal: Applicant is proposing to develop a 40+/- lot open space design subdivision.

Master Plan: Area identified in a single family residential classification.

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

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

3. CLARENCE HOLLOW BISTRO, 10641 MAIN STREET.

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

Description/History: Previously approved project located in the TND.

Proposal: The applicant is proposing to amend the conditions of the previous approval by providing a different detail for the retaining wall along the east property line of the project. The proposal will modify the original wall from wood to steel—retaining and cutting the steel pilings and introducing intermittent stone sections and a wood “railing” along the east side as a cap.

Master Plan: Area identified in the Clarence Hollow TND

Reason for Town Board Action: As the Town Board established and approved the conditions associated with the original project, any amendment will require Town Board authorization.

Issues: The strained relationship with the adjoining/neighborhood property owners.

4. CLARENCE HOLLOW ASSOCIATION, 10405 MAIN STREET.

Location: Main Town Park

Description/History: Annual Hollowfest Celebration

Proposal: Applicant is seeking a permit for a fireworks display on July 4, 2016.

Reason for Town Board Action: Per Local and State Law the Town Board has authority to issue fireworks display permits.

Issues: Event is part of annual Hollowfest Event. : All required permit application materials including Fire chief approvals are in order.

5. BROOKFIELD COUNTRY CLUB, 5120 SHIMERVILLE ROAD.

Location: West side of Shimerville Road south of Greiner Road.

Description/History: Existing Country Club located in the Residential Single Family Zone.

Proposal: Applicant is seeking fireworks display permits for July 4 and July 9.

Reason for Town Board Action: Per Local and State Law the Town Board has authority to issue fireworks display permits.

Issues: All required permit application materials including Fire chief approvals are in order.

WORK SESSION ITEMS:

1. ANNUAL RENEWAL OF TEMPORARY CONDITIONAL PERMITS.

SEE SEPARATE SPREAD SHEET FOR 2016 RENEWALS.

Potential Temporary Conditional Permit Renewals 2016											
Phone #	Mailing Address	#	BUSINESS NAME	OWNER NAME	ADDRESS	USE	CONDITIONS	CONDITIONS 2	CONDITIONS 3	Previous Term Length	Recommendation
questions/concerns have been raised											
Automotive											
716-553-7573	8355 Goodrich Road Clarence Center 14032	1	Top Notch Automotive	Dan Chapman	8355 Goodrich Road	Auto Repair	No more than 6 vehicles	Hours 8am-5pm		5 years	5 years
716-912-2051	8417 Transit Road East Amherst 14051	2	Hoover Automotive	Richard Hoover	8417 Transit Road	Auto Sales and Repair	No more than 4 vehicles for sale	Max 8 vehicles on lot	No outdoor storage of repair vehicles	5 years	5 years
716-759-0909	10187 Main Street Clarence 14031	3	RJ's Automotive	Richard Freer	10187 Main Street	Auto Repair	No more than 20 vehicles	Hours 7am-9pm		5 years	5 years
716-681-0608	10187 Main Street Clarence 14031	4	United Four Wheel Drive	Randy Rossow	10187 Main Street	Auto Repair	No sale of vehicles			5 years	TBD
716-741-3774	9460 Tonawanda Creek Clarence Center 14031	5	Ralph Graf Automotive	Ralf Graf	9460 Tonawanda Creek Road	Auto Repair				5 years	5 years
716-481-1455	9385 Main Street Clarence 14031	6	Louie's Car Clinic	Joe Urbino	9385 Main Street	Auto Sales				1 year	TBD
518-577-5659	8400 County Road East Amherst 14051	7	Neiman Automotive	Joe Neiman	8400 County Road	Auto Sales	No outside display of vehicles for sale	Mo delivery or transport vehicles	No repair or detail on premises	6 months	3 years
716-912-4002	6850 Main Street Williamsville 14221	8	Smilanich Automotive	George Smilanich	8575 Roll Road	Auto Sales	Paving and striping of vehicle storage area required	no more than 3 vehicles displayed		1 year	TBD
759-0950	PO Box 142 Clarence 14031	9	Carson Automotive	Janice Carson	10589 Main Street	Auto Sales	No more than 5 vehicles displayed at rear or building	no signs, banners, open hoods	vehicles must be located behind the second level of the building	1 year	3 years
Outside Dining											
553-4670	6235 Goodrich Road Clarence Center 14032	10	Clarence Pizza Company		6235 Goodrich Road	Outside Dining				5 years	5 years
		11	Emily's Family Diner (formerly Main Ingredient)		9980 Main Street	Outside Dining	Sun.-Sat. 10am-3pm	seating not to exceed 7 tables/230 seats	no live entertainment, music restricted to background music	1 year	3 years
		12	Murphy Brown's Craft Beer Emporium	Drew Brown	9500 Main Street Suite 100	Outside Dining	Sun.-Sat. 3pm-11pm	seating not to exceed 5 tables/14 seats	no live entertainment, no outside music	1 year	3 years
716-308-4402	PO Box 430 Clarence 14031	13	Penny Lane Café	Anne Valby	10255 Main Street	Outside Dining	M-Fri. 7am-12am, S-Sun. 7am-12am	Not to exceed 18 tables and 64 chairs	No amplified music. Light background music allowed.	1 year	3 years
Display/Storage											
903-7267	8566 Main Street, Williamsville 14221	14	Amish Sheds	Mike Shields	8574 Main Street	Outside Display	Display limited to 6 items with setback of existing buildings	no lighting		1 year	TBD
716-625-9181	8033 Transit Road East Amherst 14051	15	Niagara Truck Equipment	Ken Schultz	8033 Transit Road	Outside Display	Display of 5 items permitted at road	Storage of up to 20 items at rear of property		1 year	3 years
Landscaping											
741-2951	8558 Stahley Road East Amherst 14051	16	Calarco Landscaping	Gary Calarco	8558 Stahley Road	Landscaping	No outside stroage	Hours 8am-6pm	No subletting	5 years	5 years
716-759-7044	5640 Davison Road Clarence 14031	17	Bakowski Landscaping	Steve Bakowski	5640 Davison Road	Landscaping	Hours 7am-7pm	No outside storage	No subletting	5 years	5 years
		18	Gallagher Landscaping	Kevin Gallagher	9780 Lapp Road	Landscaping	No outdoor storage of equipment	18-22 cubic yards of stone, mulch, and soil	Five pieces of heavy equipment	5 years	5 years
716-984-4475	5321 Willow Lake Drive Clarence 14031	19	Zbrzezny Landscaping	Michael Zbrzezny	4951 Kraus Road	Landscaping	None			5 years	5 years
716-741-8833	9000 Lapp Road Clarence Center 14032	20	Hewson Tree Trimming	Kieth Hewson	9000 Lapp Road	Tree Trimming and Firewood	Wood area to be fenced	Trucks to be parked out of sight		5 years	5 years
716-759-8562	4611 Shisler Road Clarence 14031	21	Bronisz Woodcutting	Martin Bronisz	4611 Shisler Road	Tree Trimming and Firewood	Cutting done in daylight hours	Storage south of pole barn, 50 feet by 100 feet	no signage, equipment stored in building	5 years	5 years
716-741-3042	5750 Shimerville Road Clarence Center 14032	22	GCR Landscaping	Gregory Ribbeck	5750 Shimerville Road	Landscaping	Restrict height of stockpiles, on east side of building	Berms created, small amount of concrete for crushing		5 years	5 years
716-741-9889	8694 Lapp Road Clarence Center 14032	23	Burghardt Landscaping	David Burghardt	8694 Lapp Road	Landscaping	Equipment stored inside barn			5 years	5 years
Miscellaneous											
716-741-3464	5880 Salt Road Clarence 14031	24	Welding and Fabricating, Inc	Edward Strickland Jr.	5880 Salt Road	Welding/Fabricating				5 years	5 years
716-741-2282	8346 County Road East Amherst 14051	25	Seitz Paving	Larry Engasser	8346 County Road	Paving Business	no storage visible from County Road			5 years	5 years