

March 7, 2018

The regular meeting of the Wheatfield Planning and Zoning Board was called to order at the Wheatfield Town Hall at 7:00 p.m. by Chairman Walt Garrow.

Present: Susan Eberwein, Walt Garrow, Melissa Germann, Michael Polek and Don Proefrock.

Also Present: Tim Zuber - Town engineer Wendel; Town Supervisor Don MacSwan; Councilman Gilbert Doucet; members of the public.

Moved by M. Germann, Seconded by S. Eberwein to approve the meeting minutes of February 21st, 2018. Motion unanimously carried.

Summary of Agenda

Dollar General – 2366 Niagara Falls Blvd – Sketch Plan Review. Reviewed the revised sketch plan for the proposed construction of a new 9100 ft² building to house a new Dollar General store with associated parking and infrastructure. The project requires a floodplain development permit, a conservation area determination and an engineering study. The Niagara Falls Boulevard Overlay District requirements were reviewed.

Action

No action required by the Planning Board.

Gardner Trucking and Storage – 3649 to 3655 Lockport Road– Site Plan Review. Reviewed the site plan for the proposed construction of 3,000 ft² contractor's storage building, a 11,900 ft² building for self-storage units and a 42,000 ft² outdoor storage area.

Action

Motion made M. Germann and seconded S. Eberwein: In accordance with the SEQR requirements, the Planning Board has reviewed Part 1 of the EAF and information submitted by the applicant, completed Part 2, and evaluated the impacts in Part 3 and have determined that the proposed Gardner Trucking and Storage project at 3649-3655 Lockport Road will not have a significant adverse impact on the environment and therefore issues a Negative Declaration. The Planning Board authorizes the Chairman to sign the EAF.

Voting Results: Yeas: Eberwein, Garrow, Germann, Polek, Proefrock. Nays: none. Abstention: none
Motion Carried

Motion made M. Germann and seconded D. Proefrock: Approve the modified Site Plan with conditions noted and engineering review.

Voting Results: Yeas: Eberwein, Garrow, Germann, Polek, Proefrock. Nays: none. Abstention: none.
Motion Carried

Pellicano's Marketplace – 3328, 3332 & 3338 Nagara Falls Boulevard – Sketch Plan Review. Reviewed the sketch plan for the proposed relocation of an existing market to include butcher shop, deli counter and grocery. Plan includes space for future commercial tenant. Three (3) lots will be combined into one parcel and a new structure will be built, including an independent banking kiosk to be located in the parking lot. The Town's Site Plan Checklist will be used for Site Plan.

Action

No action taken by the Board.

Next meeting: March 21, 2018

Motion made by S. Eberwein, Seconded by M. Germann to adjourn the meeting at 8:35p.m. Motion carried.

Respectfully Submitted
Michael Polek, Secretary

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. Type of Review ("X" one):

XX	Sketch Plat Review Site Plat Review Preliminary Subdivision Plat-Major Special Use Permit	Public Hearing Special Permit Final Subdivision Plat Rezoning Request Commercial Vehicle Parking Permit
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Site Plat Date – February 14, 2018

Review Date: March 7, 2018

2. Development Specifics: Dollar General

- a. Property Identification & Location – 2366 Niagara Falls Boulevard, Niagara Falls, NY, 14304.
- b. Owner(s) Name(s), Address & Phone No. – Barry Randall-Moll, 6154 Walmore Road, Sanborn, NY, 14132. Ph: Not provided.
- c. Developer (when different) Name, Address & Phone No. – The Zaremba Group, 14600 Detroit Avenue, Suite 1500, Lakewood, OH, 44107. Ph: 216-226-2140
- d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Same as developer.
- e. Development Details (Explain) – Construct a 9,100 ft² Dollar General Store with parking.

3. Planning & Zoning Board Mandated Conditions/Recommendations:

- a. Property is zoned C-1.
- b. Currently, land use of site is a residential single family home with garage surrounded by agricultural to the south, east and west, and commercial to the north.
- c. Proposal is an allowed use.
- d. Property is in a floodplain. Will require a Floodplain Development Permit as well as an Engineering study.
- e. Conservation Area Determination: need contours, how far is building from top of bank; there is an application to complete for the Conservation Area determination. See also the Town Zoning code.
- f. Complete the Site Plan checklist. Check list provides details required for Planning Board review.
- g. Proposal is a 9,100 sq ft building, which requires 54 parking spaces (6 spaces for every 1,000 sq ft of building). Include in the Plan for the spaces for 54 spaces but indicate on the Plan the construction of a minimum of 30. Another option is to seek a variance from the Town Board for a reduction in parking spaces. A variance from the Town Board requires proof of the reason for a reduction in parking spaces.
- h. SWPPP- required if disturbing greater than an acre of land. Applicant states that less than 1 acre will be disturbed.
- i. Landscaping required. See Site Plan checklist.
- j. Airport overlay: require building height as well as contact with the FAA.
- k. Contact neighbor for opinion about proposal.
- l. Neighbor buffering will be provided. Current plan shows a fence and existing vegetation.
- m. Provide proof of ownership of the property. A letter, dated 12/28/17, is in the file, which permits the Zaremba Group to seek Site Plan approval from the current owners.
- n. Base map requirement: Provide a Plan that indicates the current conditions. See also Site Plan checklist.
- o. The Planning Board requested drainage access easements of 25' from top of bank for the rear stream and an easement from NFB to access the side stream. The applicant will consider the request.
- p. Dumpster is visible from Niagara Falls Boulevard which violates the NFB Overlay restrictions. Town Code Section 200-20.3 requirements were discussed.
- q. The Planning Board is ok with the setback from the rear stream top of bank being at ~76' and the setback from the side stream top of bank being at ~66'.

4. Planning & Zoning Board Action:

No action taken.

Authentication:

 Planning & Zoning Board Representative
 Distribution: Town Clerk
 Town Assessor
 Enforcement Office

March 7, 2018

 Date
 Building Department
 Town Attorney
 Applicant

 Owner/Representative Signature
 Town Board Members
 File Folder

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
- | | |
|------------------------------------|-----------------------------------|
| Sketch Plat Review | Public Hearing Special Permit |
| XX Site Plat Review | Final Subdivision Plat |
| Preliminary Subdivision Plat-Major | Rezoning Request |
| Special Use Permit | Commercial Vehicle Parking Permit |

Site Plat Date – February 26, 2018

Review Date: March 7, 2018

2. **Development Specifics: Gardner Trucking and Storage**
- Property Identification & Location – 3649-3655 Lockport Road, Sanborn, NY, 14132.
 - Owner(s) Name(s), Address & Phone No. – Jeff Gardner, 3655 Lockport Road, Sanborn, NY, 14132. Phone. 716-570-1608.
 - Developer (when different) Name, Address & Phone No. – Same as owner.
 - Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Same as developer.
 - Development Details (Explain) – Construction of a 3,000 ft² contractor's storage building, a 11,900 ft² building for self-storage units and a 42,000 ft² outdoor storage area.
3. **Planning & Zoning Board Mandated Conditions/Recommendations:**
- The proposed 3,000 ft² building will have offices for both the paving business and the self-storage units.
 - The proposed 3000 ft² building does not meet the 65' set back requirement from Lockport Road. The applicant requests a legal interpretation of town code Section 200-23 to determine whether they met an exception. The applicant will obtain a variance if needed or move the building.
 - Over 1 acre will be disturbed so State storm water regulations will apply.
 - The Town's Site Plan Checklist was utilized.
 - The County will be notified about the proposed curb cuts on Lockport Road.
 - Applicant states that all storage requirements will be in accordance with Airport Overlay requirements.
 - Fire resistant breaks will be used in the self-storage structures to meet fire code.
 - The retention pond is dry.
 - The application has a boundary survey. An updated boundary survey will be provided for the project files, dated, signed and stamped.
 - Fire Advisory Board (FAB) comments were received by the Planning Board regarding distances to the fire hydrant. The applicant will address the FAB comments and obtain concurrence from them prior to building permit.
 - Applicant to pay a Plan Review Fee of \$750.00 and a SWPPP review fee of \$500.00, separate checks made out to the Town of Wheatfield.

4. **Planning & Zoning Board Action:**

Motion made M. Germann and seconded S. Eberwein: In accordance with the SEQR requirements, the Planning Board has reviewed Part 1 of the EAF and information submitted by the applicant, completed Part 2, and evaluated the impacts in Part 3 and have determined that the proposed Gardner Trucking and Storage project at 3649-3655 Lockport Road will not have a significant adverse impact on the environment and therefore issues a Negative Declaration. The Planning Board authorizes the Chairman to sign the EAF.

Voting Results: Yeas: Eberwein, Garrow, Germann, Polek, Proefrock. Nays: none. Abstention: none
Motion Carried

Motion made M. Germann and seconded D. Proefrock: Approve the modified Site Plan with conditions noted and engineering review.

Voting Results: Yeas: Eberwein, Garrow, Germann, Polek, Proefrock. Nays: none. Abstention: none.
Motion Carried

Authentication:

Planning & Zoning Board Representative
Distribution: Town Clerk
Town Assessor
Enforcement Office

March 7, 2018
Date
Building Department
Town Attorney
Applicant

Owner/Representative Signature
Town Board Members
File Folder

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
- | | | |
|----|------------------------------------|-----------------------------------|
| XX | Sketch Plat Review | Public Hearing Special Permit |
| | Site Plat Review | Final Subdivision Plat |
| | Preliminary Subdivision Plat-Major | Rezoning Request |
| | Special Use Permit | Commercial Vehicle Parking Permit |

Site Plat Date: February 28, 2018

Review Date: March 7, 2018

2. **Development Specifics: Pellicano's Marketplace**
- a) Property Identification & Location – 3328, 3332 & 3338 Niagara Falls Boulevard, Wheatfield, NY, 14120.
 - b) Owner(s) Name(s), Address & Phone No. – Christopher Pellicano, 3176 Niagara Falls Boulevard, Wheatfield, NY, 14120. Phone: (716)578-6819.
 - c) Developer (when different) Name, Address & Phone No. – Same as owner.
 - d) Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Lauer-Manguse & Associates Architects, 4080 Ridge Lee Road, Buffalo, NY14228. Phone: 716-837-0833
 - e) Development Details (Explain) – Relocation of existing market to include butcher shop, deli counter and grocery. Plan includes space for future commercial tenant.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**
- a) The property is zoned C-1 and within the Niagara Fall Boulevard Overlay Zone.
 - b) A base map is required and the Town's Site Plan Checklist will be used.
 - c) The project includes 3 lots. Applicant states that they will be combined.
 - d) Dark sky friendly lighting plan and landscaping plans needs to be submitted.
 - e) A building rendition was provided. Building renditions will be submitted to Wendel.
 - f) The applicant is investigating potential wetlands on the property.
 - g) Town sign law shall be followed. Applicant stated that they prefer a monument style sign.
 - h) Classifying the project as a retail business, 89 parking spaces are required and the plan shows 82. Additional parking spaces can be added along the rear of the building for future use if needed. Also, the Town Board can approve variances to the parking requirements.
 - i) Banking kiosk has to have a stacking capacity for 10 vehicles.
 - j) A SWPP is required if over 1 acre is disturbed.
 - k) The applicant will show adjacent neighbors on the Site Plan.
 - l) The flag pole must not exceed the Town's 40' height limit.
 - m) Two contracts for the purchase of the project's properties were provided. A contract is still needed for 3328 NFB.

4. **Planning & Zoning Board Action:**

No action taken.

Authentication:

_____	March 7, 2018	_____
Planning & Zoning Board Representative	Date	Owner/Representative Signature
Distribution: Town Clerk	Building Department	Town Board Members
Town Assessor	Town Attorney	File Folder
Enforcement Office	Applicant	