

May 2, 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; members of the public.

Moved by S. Eberwein, Seconded by D. Proefrock to approve the meeting minutes of April 18, 2018 with 1 correction. Motion unanimously carried. 1 abstention: Michael Polek

Summary of Agenda

Aubrey Way Subdivision – 3400 Niagara Falls Boulevard – Major Subdivision Plat Review. There have been no updates to the subdivision plans since the applicant's last appearance before the Planning Board in 2015. The review results from the last meeting were reviewed and discussed. Members of the public were present and expressed their disapproval for the project. Chairman Garrow informed the concerned citizens that if the project progresses there will be a public meeting where they can formally express their comments.

Action

Motion made D. Proefrock and Seconded S. Eberwein to recommend to the Town Board to begin the SEQR process. Motion unanimously approved.

Small World Day Care Expansion - 3793 Commerce Court – Site Plan Review. Reviewed the Site Plan for the 2,300 ft² expansion of a daycare. This site plan was previously approved and the applicant returned to add an additional 345 ft² to the addition. The size increase to the addition is within setback limits and does not invalidate the SEQR Type II determination.

Action

Motion made M. Germann and Seconded E. Eberwein to approve the Site Plan with noted conditions. Motion unanimously approved.

Wheatfield Gardens - 7341 Shawnee Road – Site Plan Review. Reviewed the Site Plan for the construction of a pre-fabricated steel pack-house for leafy green produce processing and packaging. Planning Board comments have been addressed with a few conditions being noted. Previously, residents came to a Planning Board meeting and related that historically there was discharge by the previous owner that impacted a near- by pond. The applicant stated that the pond is not used anymore. The pond will be filled in this year with those actions being coordinated with the Town's water & sewer superintendent.

Action

Motion made M. Germann and Seconded E. Eberwein to approve the Site Plan with noted conditions. Motion unanimously approved.

Summit Outlets – 6929 Williams Road (Summit Park Mall) – Sketch Plan Review. The Big Thunder Brewery project was combined with the Niagara International Sports & Entertainment Center project to create the Summit Outlets project. The new project started at sketch plan with essentially the outstanding comments and conditions from the individual projects being combined. The applicant presented and the Planning Board reviewed the Site Plans for: Phase 1a - Construct 2 – fully enclosed metal building sports facilities with connecting breezeway/restrooms, 36' high x 240' w x 400' long. Connecting also to existing mall at one end; Phase 1b - Conversion of the existing

toys-r-us store into a brewery and sports bar and to create outdoor lounge building and volleyball courts.

Action

No action taken.

Next meeting: May 16, 2018.

Motion made by W. Garrow, Seconded by M. Polek to adjourn the meeting at 8:50 p.m. Motion carried.

Respectfully Submitted,
Michael Polek - acting secretary

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

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

Site Plat Date – August 21, 2015

Review Date: May 2, 2018.

2. **Development Specifics: Aubrey Way Subdivision**

- a. Property Identification & Location – 3400 Niagara Falls Blvd, North Tonawanda, NY 14120.
- b. Owner(s) Name(s), Address & Phone No. – Robert Weaver, 3400 Niagara Falls Blvd, North Tonawanda, NY 14120. Phone: 213-0324. Contact: Kristin Savard, 754-2256.
- c. Developer (when different) Name, Address & Phone No. – Same as owner.
- d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Advanced Design Group, 761 Cayuga St., Lewiston, NY 14092. Phone: 754-2256.
- e. Development Details (Explain) – Request to subdivide property into a 23 lot residential subdivision and one lot that is a commercial lot (Weaver Motorsports).

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**

- a. Cul-de-sac Right-of-Way must comply with the Town Code. Label pavement radii.
- b. A Home Owners Association will be established, subject to the maintenance for the ponds and the bio-detention area.
- c. The Planning Board prefers the 3-lane entrance if no other means of egress is possible. The proposed length is all the way to the first house. As subdivision review continues the final length of the three lanes segment to be determined.
- d. Coordinate the design of the waterline with the Town Engineer and the Water Dept.
- e. The letter "P" signifies Point of connection (utilities) on the Site Plan.
- f. Stub street to be paved with the installation of a temporary T-turn around. No stub street driveways or garages.
- g. Utilities in the stub street to be coordinated with Water & Sewer Department.
- h. Applicant will consult with the Highway Superintendent relative to location of rear drainage receivers.
- i. Traffic study to be completed during this process.
- j. Update drawings with updated Niagara Falls Boulevard zoning.
- k. No updates on the site plans since the applicant's last appearance in 2015.
- l. Applicant has submitted a radiological survey performed on the property. Study states that no radiation levels in excess of normal background levels were detected.

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

Motion made S. Eberwein and Seconded M. Germann to Recommend to the Town Board to begin the SEQR process.
Voting Results: Yeas: Eberwein, Proefrock, Germann, Garrow, Polek. Nays: None, Abstentions: none.
Motion carried.

Authentication:

<hr style="border: none; border-top: 1px solid black;"/>	<u>May 2, 2018</u> Date	<hr style="border: none; border-top: 1px solid black;"/>
Planning & Zoning Board Representative		Owner/Representative Signature
Distribution:	Town Clerk Town Assessor Enforcement Office	Building Department Town Attorney Applicant 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 | Comm. Vehicle Parking Permit |

Site Plat Date – March 30, 2018

Review Date: May 2, 2018

2. **Development Specifics: Small World Daycare Expansion**

- a Property Identification & Location – 3793 Commerce Court, North Tonawanda, NY 14120.
- b Owner(s) Name(s), Address & Phone No. – Kathy Edwards, 3793 Commerce Court, North Tonawanda, NY, 14120. Phone: 716-628-8091.
- c Developer (when different) Name, Address & Phone No. – James Fittante, P.O. Box 3084, Niagara falls, NY, 14304. Phone: 716-622-8737.
- d Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – James Fittante, PO Box 3084, Niagara Falls, NY 14304. Phone: 716-622-8737.
- e Development Details (Explain) – Expansion of Daycare 2,300 ft².

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**

- a. Re-submitted site plan adding 345 ft² to structure. The structure is still within the 25' setback limits. Additionally a 6' high fence was added that is within the conservation area but is allowed in the Town Code. It is the responsibility of the applicant to move the fence if needed.
- b. Planning Board has validated the previous SEQR Type II determination.
- c. Engineering comments have been addressed.
- d. The project is a Type II action under SEQR so further review is not required.
- e. A map depicting contiguous properties and owner identification was provided.
- f. A rendition of the building was provided showing the height of the building.
- g. Estimated construction schedule is to start within 6-8 weeks and construction running for 6-8 months.
- h. The project was sent to the Fire Advisory Board and the Fire Department.

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

Motion made D. Proefrock and Seconded E. Eberwein to approve the Site Plan with noted conditions.

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

Authentication:

	May 2, 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	

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 – April 25, 2018

Review Date: May 2, 2018

2. **Development Specifics: Wheatfield Gardens**
- a) Property Identification & Location – 7341 Shawnee Road, North Tonawanda, NY, 14120.
 - b) Owner(s) Name(s), Address & Phone No. – Wheatfield gardens, LLC. 7341 Shawnee Road, North Tonawanda, NY, 14120.
 - c) Developer (when different) Name, Address & Phone No. – Same as owner.
 - d) Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. –
 - e) Development Details (Explain) – Construction of a pre-fabricated steel pack-house for leafy green produce processing and packaging.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**
- a) Zoned M-1.
 - b) 12 month per year process. The main product will be leafy green items/lettuce.
 - c) Site plan will include pack-house, which is a major part of this plan.
 - d) This may include 20 additional full time employees, with full benefits.
 - e) Applicant states that no odors will be created. It is an enclosed process.
 - f) Where is the new building going on the property? Yes. This will be an additional pre-fab building (45X80 foot building). Will demolitions be required? No demolitions.
 - g) They have communicated with National Fuel about the new building which will be near to their service line. They must stay at least 5 feet away from the pipeline.
 - h) Fire Advisory Review Board is required.
 - i) The Planning Board has determined that the proposed 3,600sf addition is a Type II action under SEQR and that no further environmental review is required.
 - j) Because less than 1 acre is involved, SWPPP is not required.
 - k) There is a "wetland" in this area. The Planning Board advises a preliminary wetlands determination be performed.
 - l) No additional parking will be needed.
 - m) Previously, two residents came to a Planning Board meeting and related that the proposer had a historical discharge that impacted a nearby pond (drainage and retention). Duck Weed grew due the fertilizer impact. They wanted assurances this will not happen again. One pond was built for drainage retention. Prior owner diverted waters to that pond, which overflows to the nearby creek. Response is that the pond is not used and no fertilized water goes to that pond anymore. The pond will be filled in this year with those actions being coordinated with the Town's water & sewer superintendent. Proposer promises to not have that discharge any more.
 - n) Building height will be less than 20'.

4. **Planning & Zoning Board Action:**
Motion made M. Germann and Seconded E. Eberwein to approve the Site Plan with noted conditions.
Voting Results: Yeas: Germann, Proefrock, Garrow, Eberwein, Polek. Nays: none,
Motion carried.

Authentication:

	May 2, 2018	
_____ Planning & Zoning Board Representative	_____ Date	_____ Owner/Representative Signature
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TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
- | | | |
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| 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 – December 27, 2017

Review Date: May 2, 2018

2. **Development Specifics: Summit Outlets**

- a. Property Identification & Location – 6929 Williams Rd (Summit Park Mall), Niagara Falls, NY 14304.
- b. Owner(s) Name(s), Address & Phone No. – Summit Outlet L.P., 6929 Williams Rd, Niagara Falls, NY 14304.
- c. Developer (when different) Name, Address & Phone No. – Jonathan E-Bennett Architecture, 104 Evans Street, Lockport, NY, 14094. Ph: 716-438-7940.
- d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Same as developer.
- e. Development Details (Explain) – Phase 1a - Construct 2 – fully enclosed metal building sports facilities with connecting breezeway/restrooms, 36' high x 240' w x 400' long. Connecting also to existing mall at one end. Phase 1b - Conversion of the existing toys-r-us store into a brewery and sports bar and to create outdoor lounge building and volleyball courts.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**

- a. The Big Thunder Brewery project was combined with the Niagara International Sports & Entertainment Center project. The sports complex is Phase 1a of the new project and the brewery is Phase 1b.
- b. Property is Zoned C-1.
- c. Applicant will need to go thru the Site Plan review process. Complete Site Plan checklist – 2016 version.
- d. Include Landscaping, including height and types of trees. The Planning Board recognizes that there will be landscaping changes required for SPDES.
- e. Project will require a variance from the Zoning Board of Appeals (ZBA) for any roof/building heights in excess of 40'.
- f. Utility easement and its impacts. Applicant to verify easement with utility and resolution to be included with Site Plan application.
- g. Project will require Niagara County Planning Board review.
- h. Greater than an acre of disturbance requires a SWPPP.
- i. Contact the FAA regarding the Airport Overlay.
- j. Applicant to submit plans to the applicable Fire Dept and the Fire Advisory Board. Fire advisory board comments were received and discussed. Those comments are attached to the end of this document.
- k. A SPDES permit will be required.
- l. Plans for construction traffic will be minimized to the extent possible. Wendel will verify if a bond is needed for Plaza Drive and associated public traffic routes, to address possible heavy truck traffic.
- m. The Planning Board recognizes the functions inside the mall that support the sport building activities.
- n. Wetland disturbance will require approval from Army Corp of Engineers.
- o. A photometric study is required. Lighting to be dark sky friendly.
- p. The project must comply with the Town's noise ordinance.
- q. A Public Informational meeting will be scheduled.
- r. A base map is required.
- s. Traffic study is required.
- t. Show change in roads and the traffic patterns.
- u. Overall parking Master plan required. Require a total calculation of all parking spaces as well as outlining what is required/needed for this project. Identify the reconfiguration of the handicapped parking. Planning Board approval is required prior to any future parking being constructed on the property.

- v. The new combined project is greater than 10 acres of disturbed and is a Type 1 action requiring SEQR with a coordinated review.

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

No action taken.

Authentication:

Planning & Zoning Board Representative

May 2, 2018
Date

Owner/Representative Signature

Distribution: Town Clerk
Town Assessor
Enforcement Office

Building Department
Town Attorney
Applicant

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