

PLANNING BOARD MEETING
MINUTES: JANUARY 9, 2023

MEMBERS PRESENT: Bruno, Lare, Starzynski, Stessing,
Alternate members: Bowman (via Zoom), Stockinger

MEMBERS ABSENT: Duchscherer, Greco, Worrall

OTHERS PRESENT: Councilman Marston, Bob Westfall, Town Engineer, Kasey Morgan, Code Enforcement Officer and Those Listed Here.

Chairman Bruno opened the meeting at 7:05 P.M.
Alternate members Bowman and Stockinger will be voting members at this meeting.

ELECTION OF OFFICER: VICE CHAIRMAN

Present slate: Chairman – David Bruno, Chairman is appointed by the Town Board.
Vice Chairman – Robert Starzynski

It was moved by Stessing – Lare to nominate Robert Starzynski, Vice Chairman.

Roll Call: Ayes – Stessing, Lare, Bowman, Bruno, Stockinger
Noes – None
Carried

There were no other nominations. Mr. Starzynski is elected Vice Chairman.

MINUTES: Planning Board Meeting – December 12, 2022

It was moved by Starzynski – Stockinger to **APPROVE** the minutes as submitted.

Roll Call: Ayes – Starzynski, Stockinger, Bowman, Bruno, Lare, Stessing
Noes – None
Carried

VOUCHER: Arlene Ehde, Recording Secretary - \$134.40

It was moved by Bowman – Lare to **APPROVE** the voucher for payment.

Roll Call: Ayes – Bowman, Bruno, Lare, Starzynski, Stessing, Stockinger
Noes – None
Carried

2023 SCHEDULE OF PLANNING BOARD MEETINGS

The following schedule was reviewed and approved:

Application Deadline as Deemed
Completed by Code Enforcement
Friday – 4:00 P.M. (except where noted)

Planning Board Meetings
Monday – 7:00 P.M. (except where noted)

December 22, 2022 (Wednesday)
January 27, 2023
February 24, 2023
March 24, 2023
April 21, 2023
May 26, 2023
June 23, 2023
July 28, 2023
August 25, 2023
September 22, 2023
October 27, 2023
November 22, 2023 (Wednesday)
December 21, 2023 (Thursday)

January 9, 2023
February 13, 2023
March 13, 2023
April 10, 2023
May 8, 2023
June 12, 2023
July 10, 2023
August 14, 2023
September 11, 2023
October 10, 2023 (Tuesday)
November 13, 2023
December 11, 2023
January 8, 2024

REFERRALS

1. FROM: Town Engineer
RE: CONCEPT PLAN INFORMAL DISCUSSION FOR PDD REZONE REQUEST
RIVER OAKS – RESIDENTIAL COMMUNITY
SOUTH SIDE OF WHITEHAVEN ROAD AT EAST RIVER ROAD

Sean Hopkins, Esq., Richard Haight, P.E. and Frank Grebenc, owner of the property, appeared to discuss a revised Concept Plan for a residential community on Whitehaven Road and East River Road. Mr. Hopkins explained that at the November 14th Planning Board meeting, they presented changes to their plan. After additional input and input from previous meetings, they decided to come up with a different plan. Previously they were asking for rezoning of a portion of the B-1 zone. It makes more sense, to them, to make this into one project and ask for PDD zoning for the entire site from B-1 and R-2 zoning. This new plan does not increase the density of the project.

The lot depth backing up to Timberlink Drive was originally 120'. The width, 80', is the same as a previous submission, but they have increased the depth to 150'. Lot size in R-1D zoning is 80'x160'. The Timberlink Drive lots are 100' wide.

The townhome component is reconfigured closer than they originally were. Green space has been added like a New England style courtyard. The separation between the proposed townhome buildings has been reduced from 60' to 30'. It provides a more cluster like layout and allows them to increase the depth of the lots adjacent to Timberlink Drive.

There is green space with storm water management. They added more green space and

recreational trails.

At a previous meeting the open space was discussed as it was satisfied by the much larger River Oaks PUD. With this plan, however, there are 22.14 acres of permanent open space or 32.8% of the project site.

Along Whitehaven Road, there is a townhome component and a green space buffer between the townhomes and the mixed-use buildings. The green space buffer on East River Road goes from 203' to 220' deep. There are no jurisdictional wetlands on the 200+'.

Mr. Hopkins stated that they have not, as yet, applied for the PDD zoning. There will be a public hearing, SEQRA determination for the entire project and a decision on the rezoning.

There is a ravine on the East River Road side with zoning going from R-1 to the PDD. It is approximately 5' to 6' higher than the road. Mr. Hopkins was questioned whether there would be fencing on the side of the ravine or will they keep the existing vegetation. There would be deed restrictions so it would not be developed. There should be visual sensitivity and density proximity in the backyard of the homes on East River Road.

There are many dead trees in the ravine that should be addressed. Once the trees are removed, there is nothing but scrub vegetation left.

Drainage was discussed. There is about one acre of retention ponds. Where will the water go in a storm event? Mr. Haight stated if the property gets rezoned, there will be a complete set of engineered plans submitted. Drainage will improve with the storm water management system. The proposed areas should provide sufficient retention. Size of one of the ponds may change. It was noted that at the end of East River Road, there is only a 12" corrugated pipe.

The two westerly driveways on Whitehaven Road are approximately 400' apart. Whitehaven Road, being a County road, would need Erie County approval for the driveways.

This plan will not take away from what may be developed on the adjacent vacant parcel in the future. There will be a driveway on the eastern end of the parcel that could be extended with the development of the vacant parcel. The green space beyond the driveway is approximately 80' wide and should be labelled "proposed future road".

A road with a hammer head has been added. It will be a private road with private responsibilities. The road for the single family homes will be public. All other roads are private.

There are 3 mixed use buildings in what is currently a B-1 zoned area. First floor

commercial, second floor residential. Mr. Hopkins stated that It is not easy to find retail tenants. Professional offices are easier. The two adjacent apartment buildings could be switched out for retail if there was a demand.

Residential streets and Whitehaven Road will have sidewalks. There will be a HOA because of the open space. Single family homes next to Timberlink Drive will not be part of the HOA.

The walking trails should be connected throughout the development.

There was a discussion regarding the units along East River Road and how far the units are from the top of the ravine. The buildings might look like a two story building from the back. They will have an outdoor seating area. The need of a transition berm or vegetation is a possibility, or an alternate layout. The difference in the elevation between the homes on East River Road and the proposed homes on the ravine should be considered. A topo and visualization is needed.

The project will be multi-phased.

No action at this time.

COMMUNICATIONS – OTHER OFFICIALS

1. FROM: Town Board
RE: MINUTES – November 21, December 5, 2022
Received and filed.
2. FROM: Board of Architectural Review
RE: MINUTES – November 15, 2022
Received and filed.
3. FROM: Zoning Board of Appeals
RE: MINUTES – December 1, 2022
4. FROM: Chairman Bruno
RE: REPORT ON LONG RANGE PLANNING COMMITTEE
Chairman Bruno reported that last month's meeting was cancelled.

COMMUNICATIONS

None

UNFINISHED BUSINESS

1. FROM: Town Board

RE: KEVIN BITIKOFER – 4410 & 4420 EAST RIVER ROAD
SPECIAL USE APPLICATION – KEEPING OF UP TO 3 AGRICULTURAL ANIMALS ON 9.85 ACRES

Kevin Bitikofer appeared requesting a Special Use Permit for the keeping of up to three agricultural animals on 9.85 acres.

When questioned, Mr. Bitikofer stated that he has merged the two lots together.

There is a garage type building and a grey shed on the property. The wooden structure is a runout for the horses. It is on a skid and will be towed wherever it is needed.

The waste will be put to the rear of the property, past the neighbors, according to Code.

It was moved by Starzynski – Stessing to recommend **APPROVAL** of the Special Use Permit as proposed.

Roll Call: Ayes – Starzynski, Stessing, Bowman, Bruno, Lare, Stockinger
Noes – None
Carried

2. FROM: Town Engineer

RE: LONG ROAD DISTRIBUTION FACILITY – 2780 LONG ROAD
REVISED SITE PLAN – SBL #23.00-1-50 & 23.00-1-26.1
(Tabled 12/14/20)

The environmental review is ongoing. Mr. Westfall noted that the developer has approached the Town about being able to do some tree cutting. Mr. Westfall was questioned as to why the Town would approve clearing trees without an approved site plan? He stated that trees would be removed in conformance with the development plan. Tree work will not be done on the residential area. They are not altering the grade. There is no tree ordinance.

To remain on the TABLE.

It was moved by Stessing – Lare to **ADJOURN** at 8:10 P.M.

Roll Call: Ayes – Stessing, Lare, Bowman, Bruno, Starzynski, Stockinger
Noes – None
Carried

Respectfully submitted,
Arlene Ehde, Recording Secretary