

Memo

To: Town Board Members

From: Jonathan Bleuer – Director of Community Development
Andrew Schaefer – Junior Planner

cc: Town Attorney, Town Clerk, Town Engineer, Code Enforcement Officers, Planning Board Members

Date: August 23, 2024

Re: August 28, 2024 Town Board Meeting – Land Use Items

The following is a review of the Land Use items on the August 28, 2024 Town Board Agenda:

Public Hearings: None

Formal Agenda Items: Three

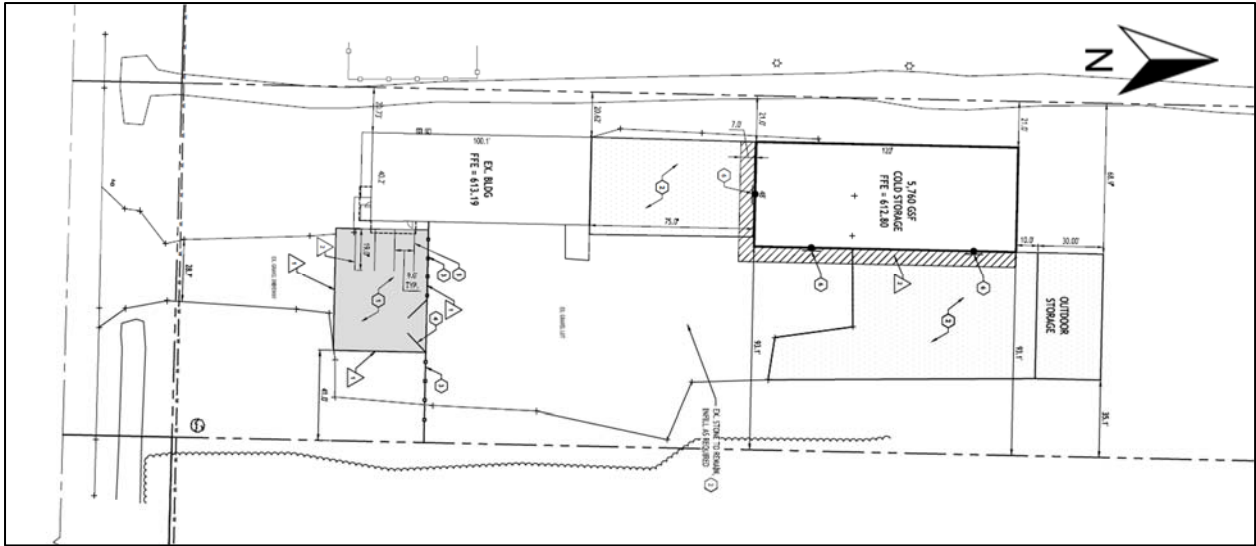
1. Stately Builders

Location: 9780 County Road. North side of County Road, east of Goodrich Road.

Description: Existing construction company located on a 3-acre parcel in the Industrial Business Park zone.

Proposal: The applicant is requesting a referral to the Planning Board for consideration of a detached warehouse structure. The warehouse is approximately 5,760 sqft, and proposed to be located behind the existing business. There are no proposed water or sanitary connections.

Reason for Board Action: A referral to the Planning Board would allow for a thorough review and action of this proposal.



Stately Builders Site Plan



Stately Builders Building Render

2. Jens Richter

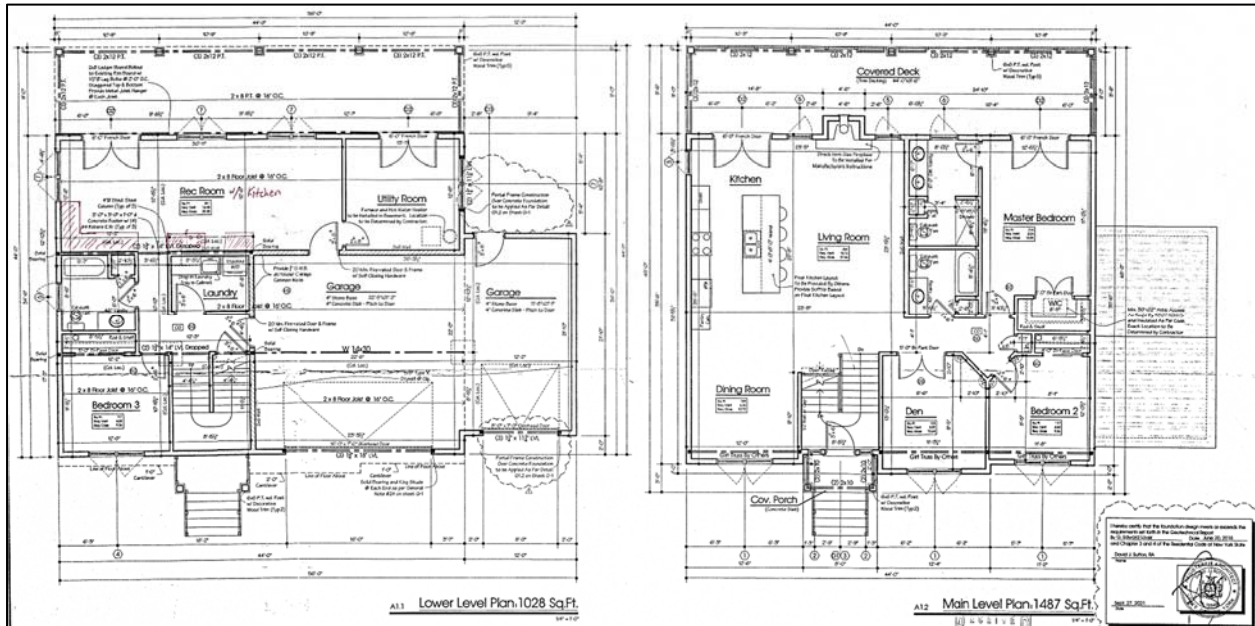
Location: 4775 Boncrest East. Northeast corner of Boncrest and Boncrest East.

Description: Recently constructed residence on a 0.44-acre parcel in the Residential Single-Family zone.

Proposal: The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for a secondary living unit that was constructed as part of residence construction.

History: The Building Department has determined that the residence contains a secondary living unit, and as such, requires the consideration of a Special Exception Use Permit.

Reason for Board Action: The Town Board has the authority to consider this request after setting and holding a Public Hearing.



4775 Boncrest East Floorplan

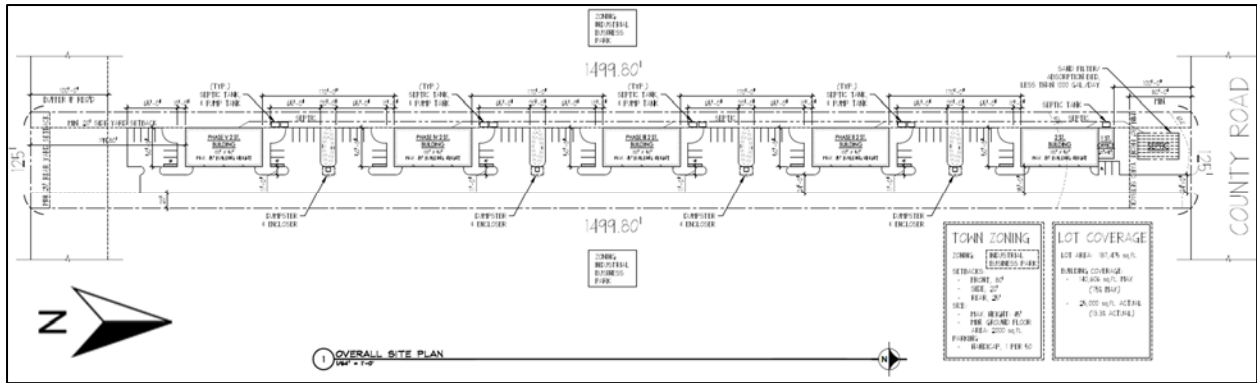
3. Rick Switala

Location: 9717 County Road. South side of County Road, east of Goodrich Road.

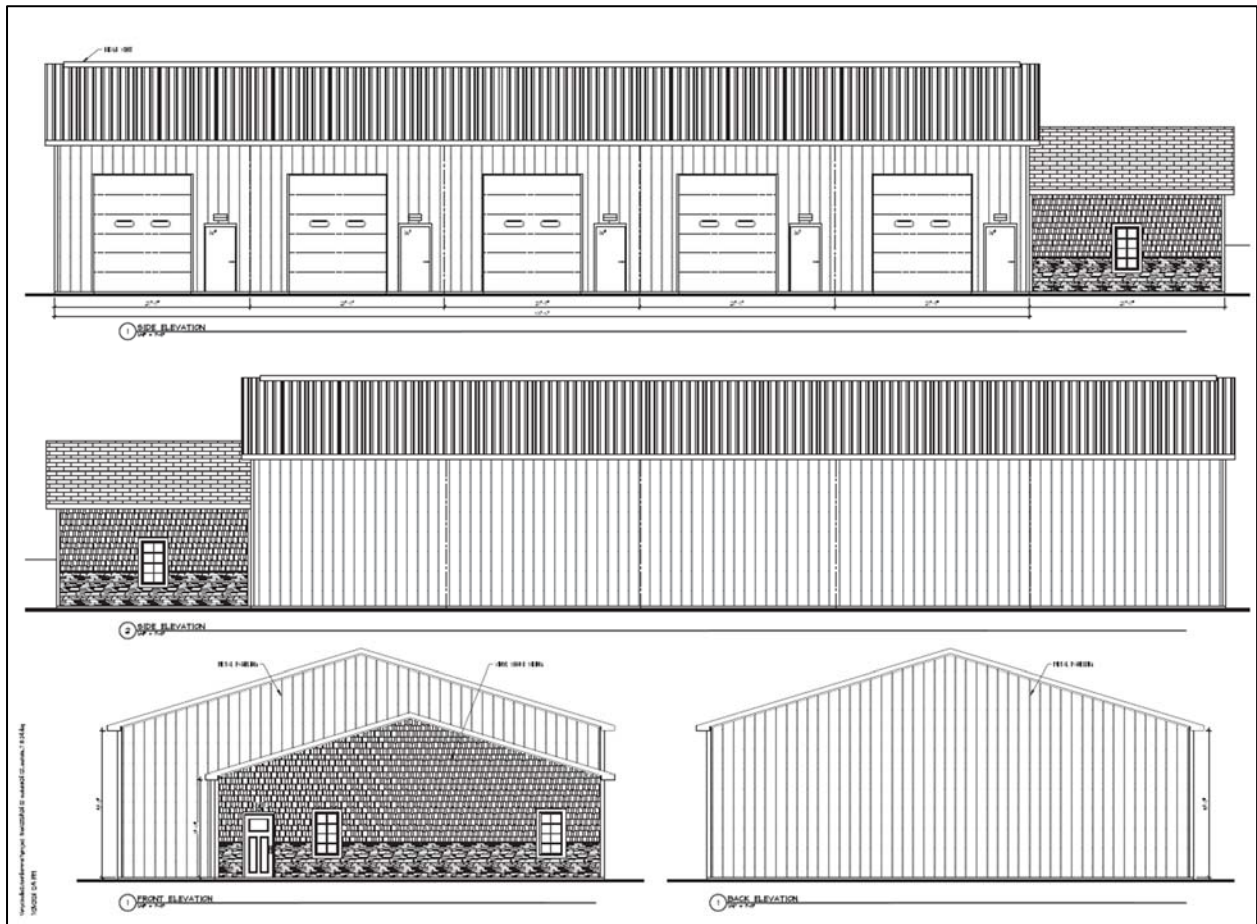
Description: Existing 4.3-acre vacant parcel located in the Industrial Business Park zone.

Proposal: The applicant is requesting preliminary conceptual review of a proposed 5-building, 25,000 sqft, utility storage project. Each building is 50' x 100', arranged linearly on the site with a single access, and the building closest to County Road contains an 800 sqft office area.

Reason for Board Action: A referral to the Planning Board would allow for a thorough review of this proposal.



Switala Concept Plan



Switala Conceptual Building Elevation

Work Session Items: Five

1. Lucas James

Location: 9485 Main Street, SBL 71.15-2-2.1. South side of Main Street, west side of Gunnville Road, north side of North Melinda Drive.

Description: Existing 9.5-acre vacant parcel in the Commercial and Residential Single-Family zones.

Proposal: The applicant is requesting preliminary conceptual review of a proposed 26 to 34 room boutique hotel and restaurant, called the Skyline Hotel & Restaurant. The structure is proposed to be 3-stories and approximately 45' tall at the highest point of the roof ridge line.

History: This proposal was first on the Town Board work session agenda of April 24th, and subsequently on the work session agendas of June 26th and July 10th. Over this period of time, the applicant has modified the proposal per comments received. Modifications include; moving the building closer to Main Street to comply with the required front yard setback, discussion with Erie County Health Department regarding future requirements associated with the proposed on-site sanitary system, reducing the building square footage to better fit the character of the area, adding a pitched roof design that still meets the maximum height requirement of the underlying zone, and ensuring that proposed building materials are of high quality such as stone, stucco, glass and extruded aluminum wood finishes.

Reason for Board Action: A referral to the Planning Board would allow for a thorough review of this proposal.

Note: This proposal will be subject to review and consideration by the Erie County Health Department and New York State Department of Conservation regarding the proposed on-site sanitary facilities.



Skyline Hotel & Restaurant Updated Concept Plan



Skyline Hotel & Restaurant Concept Color Front Render



Skyline Hotel & Restaurant Concept Color Rear/Side Render

2. Amish Villa

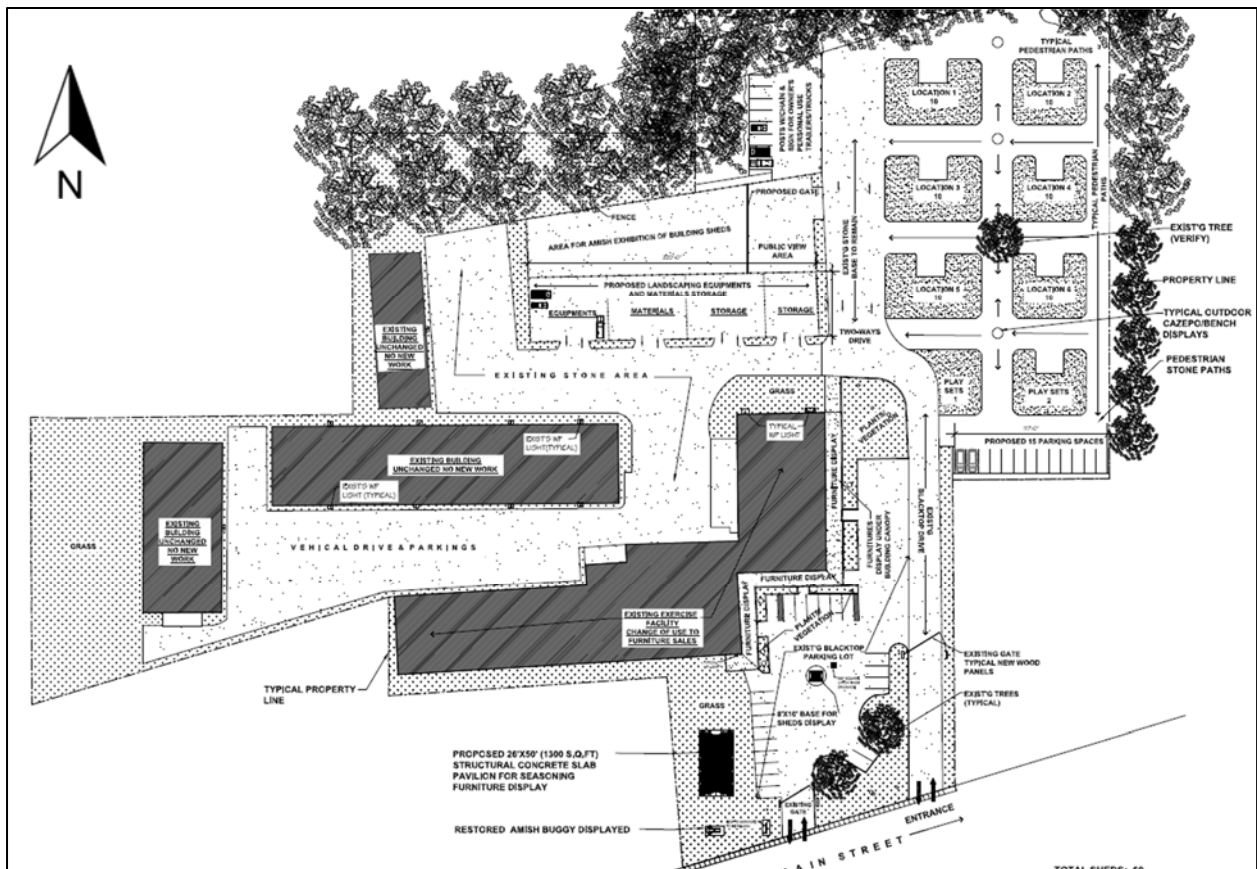
Location: 9992 Main Street. North side Main Street, east side of Kraus Road.

Description: Existing 8.5-acre property located in the Commercial and Single-Family Residential zones, containing numerous commercial structures.

Proposal: The applicant is requesting consideration of a Temporary Conditional Permit for outside storage and display to operate a furniture and structure retail sales operation, and consideration of a Temporary Conditional Permit to operate a landscape business.

History: Amish Villa previously operated at 8570 Main Street, through the issuance of a Temporary Conditional Permit (TCP) granted by the Town Board in May of 2017. In April of 2023, that TCP was not renewed by the Town due to non-compliance. Since that time, the applicant has gained control of 9992 Main Street and relocated the business to this location, along with an additional landscape business element. Up to this point, all site activity by the applicant has been conducted prior to application being made to the Clarence Planning Office.

Reason for Board Action: A referral to the Planning Board would allow for a thorough review of this proposal



Amish Villa Site Plan

3. Joseph Beaser

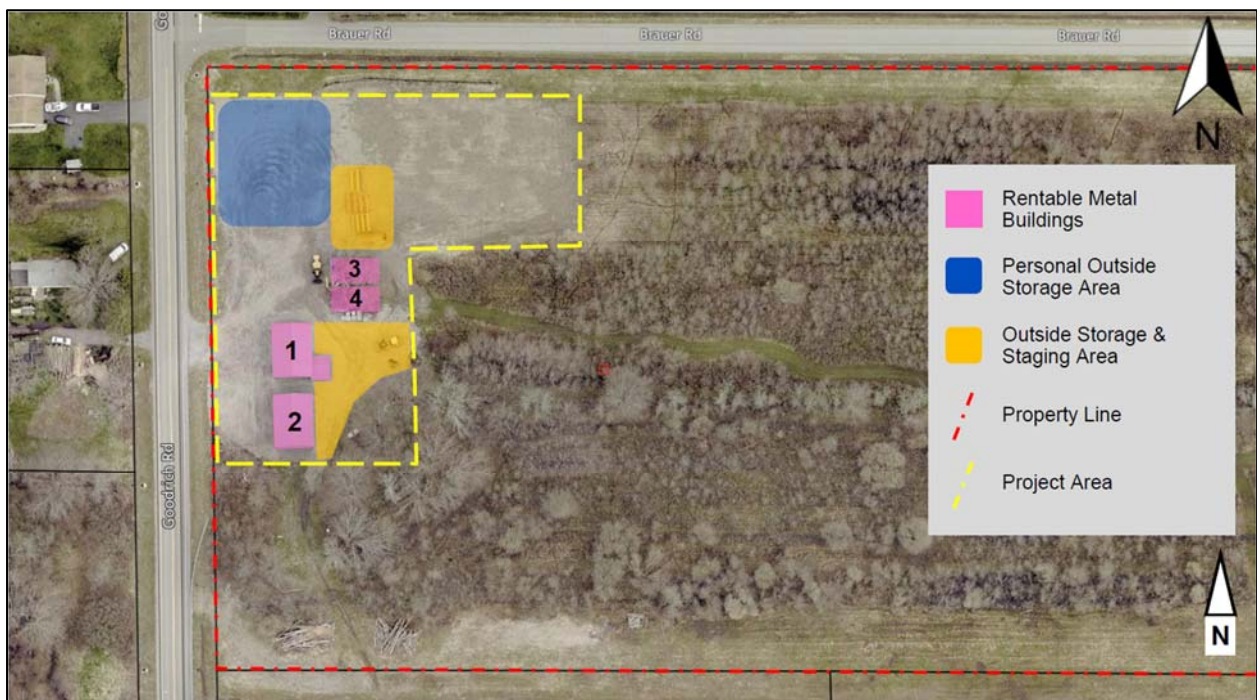
Location: 8255 Goodrich Road. Southeast corner of Goodrich Road and Brauer Road.

Description: Existing 37-acre lot in the Agricultural-Floodzone, containing a pond and multiple detached accessory structures.

Proposal/History: The applicant is requesting a modification to the existing Temporary Conditional Permit previously approved to conduct business storage and staging out of the rehabilitated accessory structures, and behind the structures, and now to include outside storage fronting Brauer Road and north of the northernmost accessory structure. The corner will continue to also be used for seasonal storage of personal items, a school bus turnaround, and occasional governmental equipment yard during infrastructure work.

The additional outside storage is proposed to consist of up to three truck/trailers.

Reason for Board Action: The Town Board has the authority to consider this request.



Joseph Beaser Site Plan

4. Visone Co. Site Development, LLC.

Location: 8560-8574 Main Street. North side Main Street, east of Harris Hill Road.

Description: Six existing parcels totaling approximately 7- acres, located in the Traditional Neighborhood District and Residential Single-Family zones.

Proposal: The applicant is requesting preliminary conceptual review of a proposed mixed-use project containing multiple-family housing and commercial space. Three new structures are proposed; two three-story mixed-use structures along Main Street, and one townhome structure at the middle of the site. Two existing structures are to remain, the rear apartment building and the rear portion of the western plaza building.

This would result in a total of 49 apartments, 41 newly proposed; and a total of 20,611 sqft of commercial space, 8,801 sqft newly proposed.

History: This proposal was previously on the Town Board work session agenda of April 10th and July 10th. Due to comments received, the applicant and project architect met with the Planning Department and modified the architectural style of the proposed mixed-use buildings. The proposed buildings now feature gable pitched roofs, and a mixture of building materials and façade elements. Additionally, the existing site has received maintenance; including the removal of signage associated with previously closed businesses, lawn and vegetation control, and the reduction of duplicative real estate signage at the plaza.

Reason for Board Action: A referral to the Planning Board would allow for a thorough review of this proposal

Note: Per Town code, multiple-family housing proposals are limited to 2-stories, regardless of building height. The proposed third-story of each building will require variance consideration from the Zoning Board of Appeals.



Visone Co. Site Development, LLC. Concept Color Render 2

5. Scott Irish-Bronki

Location: 10594 Main Street. North side Main Street, west of Bank Street.

Description: Existing 0.27-acre property located in the Hollow Traditional Neighborhood District, containing a vacant structure built prior to 1950.

Proposal: The applicant is requesting consideration of a Demolition approval for the structure.

History: The applicant originally applied for demolition of the structure in September of 2020. In April of 2021, the Historic Preservation Commission presented initial research of the property/structure, and requested that the applicant consider putting a hold, or withdrawing the request for demolition to allow for further research and investigation. Thereafter, the applicant withdrew his application for demolition.

Concurrently, the applicant has faced Building Code violations for the structure. These violations have led to Justice Court review, spurring the applicant to seek additional mitigating measures. The applicant has submitted a structural analysis, asbestos reporting/abatement records, and other related documentation.

In June of 2023, the Historic Preservation Commission formally recommended Local Landmark Designation of the property/structure to the Town Board. The Town Board declined to pursue such designation.

In June of this year, the applicant re-applied for demolition of the structure. In August, the Historic Preservation Commission re-recommended Local Landmark Designation to the Town Board, and also recommended a Positive Declaration to the Town Board due to the historical significance of the structure.

Reason for Board Action: The Town Board has authority to act on this request, after a review and action through the State Environmental Quality Review Act (SEQRA).

<p><u>Application for Demolition</u></p> <p>Property Address: 10594 Main Street</p> <p>Current Ownership: RMI Properties, LLC</p> <p>Applicant: Scott Irish-Bronkie</p>	Historical Resources Survey:	Not Listed
	Zoned:	Hollow Traditional Neighborhood District
	Land Assessed Value:	\$33,000
	Total Assessed Value:	\$85,000
	Date of Original Construction:	1910 - Assessor Records
Square feet Living Area:	1,120	
Stories:	1.5	
Number of bedrooms:	3	
Number of baths:	2	



10594 Main Street Demolition Info