

# 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:** September 6, 2024

**Re:** September 11, 2024 Town Board Meeting – Land Use Items

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The following is a review of the Land Use items on the September 11, 2024 Town Board Agenda:

Public Hearings: One

**1. Jaqueline Winterhalter**

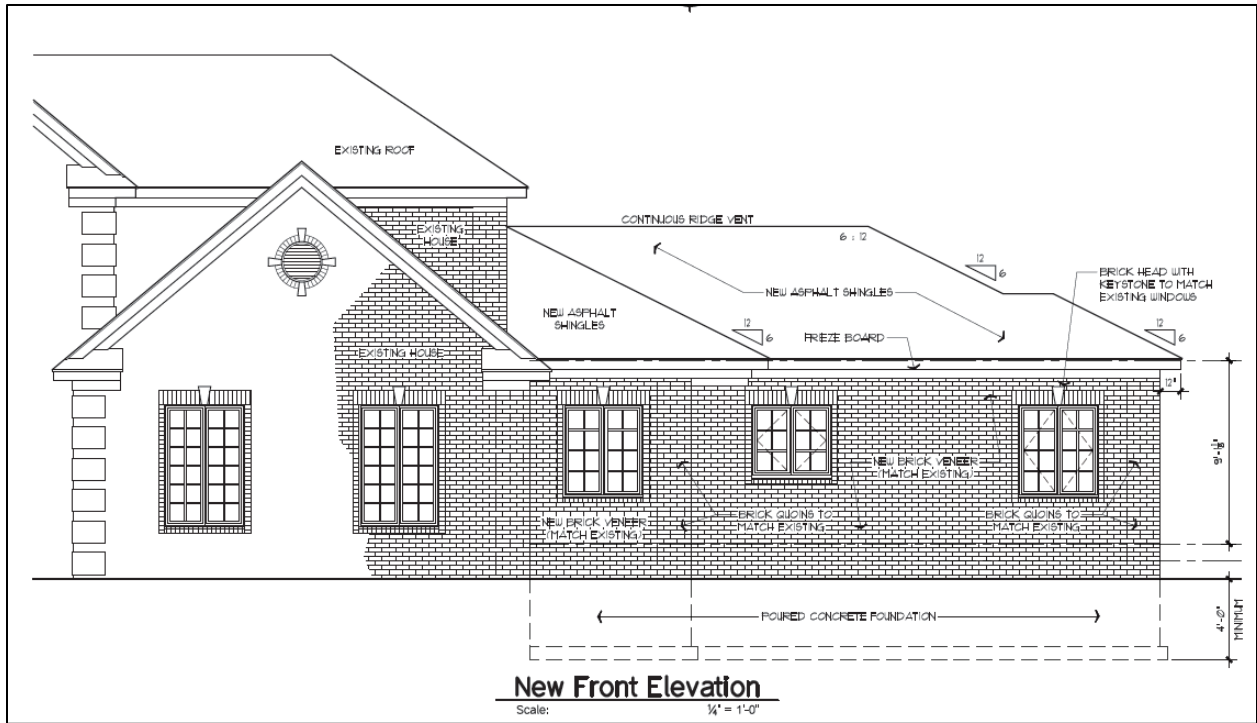
**Location:** 5312 Coyote Court. Northeast corner of Via del Sole and Coyote Court in the Loch Lea subdivision.

**Description:** Existing residence on a 0.48-acre parcel in the Planned Unit Residential Development zone.

**Proposal:** The applicant is requesting a Special Exception Use Permit for the construction of a secondary living unit as an expansion to the existing residence.

**History:** The Town Board referred this proposal to the Planning Board in March. Since that time, the applicant has made modifications to the proposal based on comments being received. Modifications include the removal of a secondary front door, addition of windows and brickwork, and an increase to the roof ridgeline height where the addition meets the existing residence. In July, the Planning Board recommended approval of this request, subject to a series of nine conditions.

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



*Winterhalter Updated Front Elevation*

Formal Agenda 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 24<sup>th</sup>, and subsequently on the work session agendas of June 26<sup>th</sup> and July 10<sup>th</sup>. 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*



### 3. 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 10<sup>th</sup> and July 10<sup>th</sup>. 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*

**4. Scott Irish-Bronkie**

**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><b><u>Application for Demolition</u></b></p> <p><b>Property Address:</b><br/>10594 Main Street</p> <p><b>Current Ownership:</b><br/>RMI Properties, LLC</p> <p><b>Applicant:</b><br/>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

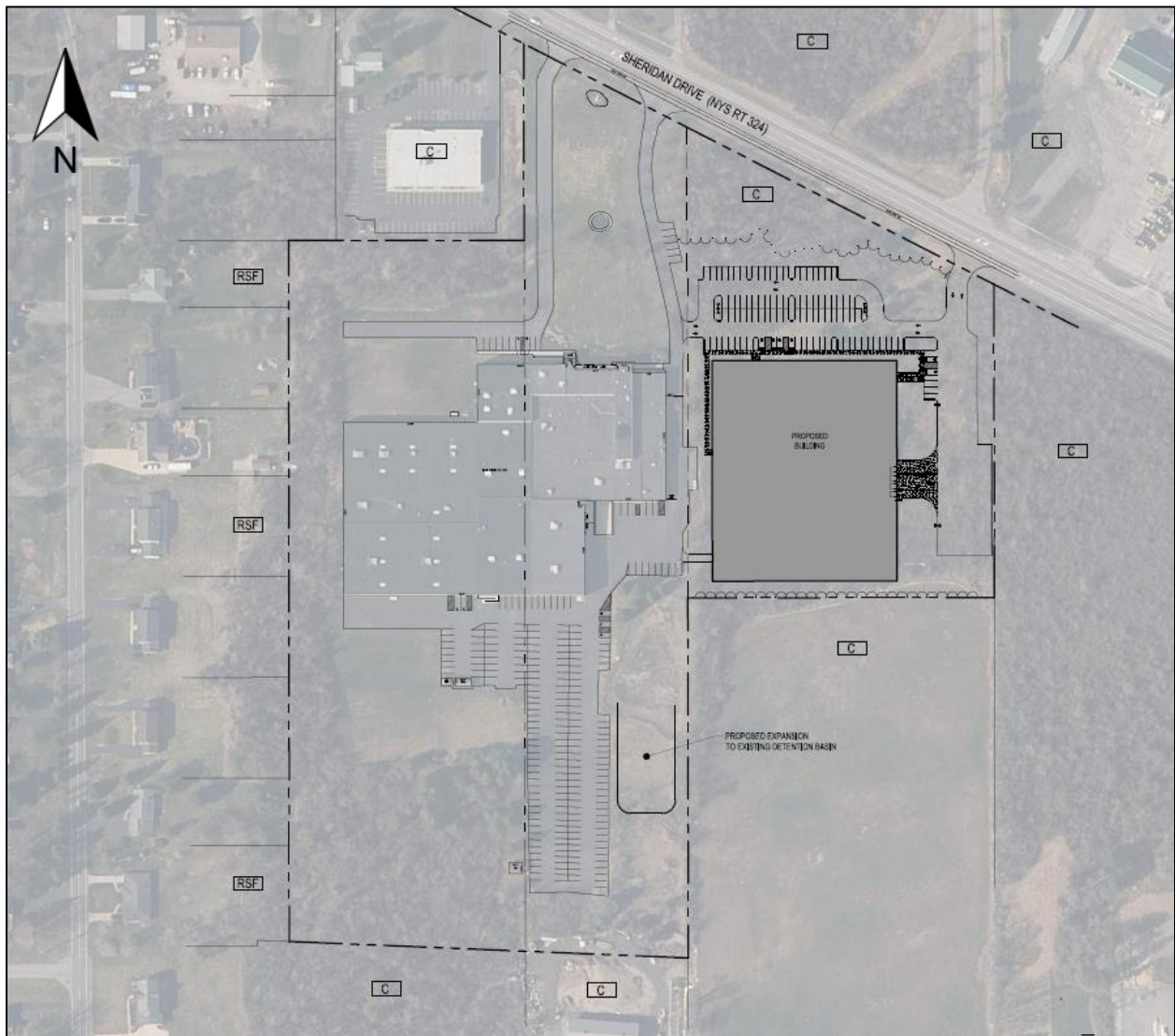
**5. Dynabrade, Inc.**

**Location:** 8989 & 9035 Sheridan Drive. South side of Sheridan Drive, west of Main Street.

**Description:** Existing 21.75-acre property containing a light manufacturing and office facility located in the Commercial zone.

**Proposal:** The applicant is requesting preliminary Conceptual review of a proposed 90,000 sqft manufacturing and office building at 9035 Sheridan Drive along with associated site improvements; as a campus addition to the existing business operation at 8989 Sheridan Drive.

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



*Dynabrade Concept Plan*



*Dynabrade Concept Render*

## Work Session Items: One

### **1. Annual Excavation Permit Renewals**

**Proposal:** Consider the annual renewal of the following excavation permits:

- A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
- B. Lakeside Sod, 6660 Goodrich Road
- C. Michael Development, 10001 Wehrle Drive
- D. Michael Development, 10051 Wehrle Drive

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

**Note:** All required paperwork, including up-to-date tax bills, NYSDEC permits, bonding, and necessary fees are being collected by the Planning Office, and will be on file prior to the Public Hearing.