

MEMBERS PRESENT: Harold Fabinsky, Chairman/Paul Bodden/Kim Bowers/Henry Heppner/
David Kaczor/Bill McNamara/Nicholas Taneff/Philip Murray, Alternate

OTHERS PRESENT: John Bernard, Planning Director
Len Berkowitz, Deputy Town Attorney
Andrew Geist, Building Inspector
Thomas Ostrander, Assistant Town Engineer
Rosemary Messina, Secretary

APPROVED MINUTES

The Chair called the Planning Board meeting to order at 7:00 P.M. by stating that if anyone appearing before the Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State law and the Town Code of Ethics.

Upon a motion duly made and seconded, the reading of the Planning Board's September, 2016 Meeting minutes was unanimously waived as each Board Member had previously received a copy.

Mr. Heppner made a **MOTION**, seconded by Mr. Taneff, to **APPROVE** the September 2016 minutes as presented.

THE **VOTE** ON THE **MOTION** BEING:

FABINSKY	AYE
BODDEN	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MC NAMARA	AYE
TANEFF	AYE

THE **MOTION** IS UNANIMOUSLY **PASSED**.

1. 7:00 P.M. Public Hearing, P.B. File #27-13, "Riley Meadows West" proposed sixty-nine (69) Lot Subdivision, Vacant Land, 57+/- acres located on the west side of Murphy Road across from the existing Riley Meadows East Subdivision, Zoned R-2. Applicant is seeking Final Plat Plan Approval. The Planning Board made Pre-application Findings and declared itself as the SEQR Lead Agency on January 8, 2014, SEQR Negative Declaration and Preliminary Plat Plan Approval granted on July 13, 2016.

Mr. Kaczor made a **MOTION**, seconded by Mr. Taneff to **OPEN** the public hearing.

THE **VOTE** ON THE **MOTION** BEING:

FABINSKY	AYE
BODDEN	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MC NAMARA	AYE
TANEFF	AYE

THE **MOTION** IS UNANIMOUSLY **PASSED**.

The Chairman called the public hearing open for discussion of "Riley Meadows West" proposed sixty-nine (69) Lot Subdivision. The Affidavit of Publication and Posting, was published in the "Orchard Park Bee", and filed with the Board by the Planning Board Secretary.

IN FAVOR:

*Mr. Chris Wood
Carmina – Wood – Morris
487 Main Street – Suite 600
Buffalo, New York 14203*

Mr. Wood stated that he supports the project.

*Mr. Peter Sorgi, Attorney
5500 Main Street
Williamsville, New York 14221*

Mr. Sorgi stated that he supports this project.

IN OPPOSITION: No one spoke.

Mr. Bodden made a **MOTION**, seconded by Mr. McNamara, to **CLOSE** the Public Hearing.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BODDEN	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MC NAMARA	AYE
TANEFF	AYE

THE MOTION IS UNANIMOUSLY PASSED.

APPEARANCE: Mr. Chris Wood, Carmina – Wood – Morris
Mr. Peter Sorgi, Attorney

The Planning Director stated that the sign-off from the Town Engineer and the Highway Superintendent was not received for this project.

Mr. Wood told the Board that the Health Department sign-off is missing as they are too busy to sign-off on the project.

Chairman Fabinsky stated that Board needs the sign-off sheet to grant approval for a project, and without it, there will be no approval for this project.

2. P.B. File #21-16, Colton RV, 3443 Southwestern Boulevard, Zoned B-2. Applicant is seeking Planning Board Recommendation on a B-2 Special Exception Use on +/- 2.3 Acres currently Zoned B-2 for a Parking/Display area for a Franchised Dealer and SEQR Recommendation.

APPEARANCE: Ms. Kristin Savard, Design Research, representing Colton RV

Ms. Savard gave an overview of the project to the Board, stating that Colton RV purchased the adjacent property on the east side of their lot from Putt-Putt Golf. The front portion of this property is zoned B2, and they are seeking a Special Exception Use Permit for expansion of their facility.

Mr. McNamara established that the proposed project will be consistent with what is located on Southwestern Boulevard.

Mr. Bodden feels they are substituting a well-lit facility for another facility. It was verified on the site map that the existing buffer will remain for the adjacent residential properties.

Mr. Kaczor would like this area to remain undeveloped. Ms. Savard stated that if the Coltons ever choose to develop the parcel further, they will need a separate application submitted for rezoning of the remaining residential portion of the parcel.

The Chairman stated that the Board is concerned that there be no reduction of the quality of life for the adjacent residents. The proposed project does not seem to impact the area.

Mr. Bodden made a **MOTION**, seconded by Mr. Fabinsky to recommend the Town Board **APPROVE** the requested Special Exception Use Permit to allow additional Parking/Display area for a Franchised Dealer on +/- 2.3 Acres, portion of former Putt-Putt Golf site, currently Zoned B-2, based on the following conditions and stipulations:

1. Fees shall be paid in accordance with Section 144-70C, of the Town Code prior to publication of the Public Hearing Notice.
2. The recommendation is contingent upon the Applicant completing the project as proposed on the development plans dated 10/21/16, and shall revert to its original Zoning Classification if the project is not completed per Section 144-67 of the Town Code.
3. The proposed project is in compliance with the Town's long-range Comprehensive Plan.
4. The applicant has demonstrated a need for the project.
5. The project is compatible with adjoining land uses and proposed developments, and will not have a negative impact on the adjacent land value or public safety.
6. The traffic ingress and egress is adequate.
7. The applicant has provided suitable parking facilities.
8. Landscaping as indicated on the proposed plan shall be reviewed and approved by the Conservation Board as part of the Site Plan approval process.
9. Free areas for recreation are not required.
10. The nearness and impact on schools and utilities is not an issue.
11. The health and safety of adjacent properties is not effected.
12. A Negative SEQR Declaration is recommended for the Special Exception Use Permit based on the Full EAF submitted on 10/31/16.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BODDEN	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MC NAMARA	AYE
TAN EFF	AYE

THE MOTION IS UNANIMOUSLY PASSED.

There being no further business, the Chairman adjourned the meeting at 7:18 PM

DATED: 11/10/16
REVIEWED: 12/08/16

Respectfully submitted,
Rosemary M. Messina
Planning Board Secretary

Harold T. Fabinsky, Planning Board Chairman