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**AT A REGULAR MEETING OF THE TOWN OF TONAWANDA
PLANNING BOARD HELD ON THE FEBRUARY 1, 2017 AT 7:00 PM IN
THE TOWN BOARD CONFERENCE ROOM, MUNICIPAL BUILDING,
KENMORE NEW YORK THERE WERE:**

PRESENT: Kenneth Swanekamp Chairman
Denis Uminski
Robert Morris
Joseph Frandina
Fred Kubus Secretary

Absent: Fred Frank Vice Chairman

Also present: Lawrence Hoffman IV, Code Enforcement Officer, Michael Kooshoian, Town Attorney, Jim Jones, Town Engineer, James Hartz, Director Community Development

AGENDA

1. Roll Call
2. Approval of Minutes, January 4, 2017
3. Town Board and Zoning Board of Appeals Actions
4. Site Plan Review
 - a. 5313 River Road – office, lab, warehouse, site plan approval (confirmation of meeting conditions)
 - b. 10 Sheridan Drive/3333 River Road – Sumitomo Rubber expansion (SEQR determination)
10 Sheridan Drive/3333 River Road – Sumitomo Rubber expansion, final site plan (action)
 - c. 2494, 2504 2510 & 2520 Niagara Falls Blvd. – Delta Sonic car wash (discussion)
5. Preliminary Site Plan Review
 - a. 55 Pirson Parkway – Unifrax, 83,000 sq. ft. manufacturing building
 - b. 100 Fire Tower Drive – USTC outdoor storage

6. Preliminary Site Plan Review and Special Use Permit
 - a. 797 Sheridan Drive – Boss Cars, used car sales
 - b. 3755 River Road – Triad, wind turbine number 2
7. Wind Energy Conversion System – Article XXVI – Revision to Code
Telecommunications Towers – Article XXIV – Revision to Code
 - Update
8. Tonawanda POWER Project/Huntley study – UBRI – Status
9. Planning Board Parking Waiver authority – discussion
10. Bikeways
 - Complete Streets Policy – discussion
11. Tonawanda Opportunity Area Planning Study/BOA - status
12. Niagara Falls Boulevard Planning with Town of Amherst – status

Approval of Minutes, January 4, 2017

Mr. Kubus moved that the minutes of the Planning Board meeting 1/4/17 be approved as typed and presented.

Seconded by Mr. Uminski

Carried Five (5) Ayes and No (0) Nays

Town Board and Zoning Board of Appeals Actions

None pending that require Planning Board action.

Site Plan Review

5313 River Road – office, lab, warehouse, site plan approval

At the January 4, 2017 meeting, the Board granted site plan approval for the construction of an approximately 25,500 square foot one-story warehouse distribution facility, with the condition that the applicant provide documentation that there is public access to Riverwalk Pkwy through the private road adjoining the property.

Town attorney, Michael Kooshoian, stated that the documentation requested was submitted.

Site Plan Review

3333 River Road – Sumitomo Rubber expansion – SEQR determination

Motion: Issue a Negative Declaration Relative to the Application of Sumitomo Rubber USA for Site Plan Review for an approximately 34, 000 sq. ft. addition located at 3333 River Road.

WHEREAS, pursuant to §215-152F and §27-11B(5) of the Town Code, the Planning Board of the Town of Tonawanda, as lead agency, caused the Environmental Assessment Short Form (EAF) completed by Travis Gruszka, R.A. and all other relevant data, to be referred to the Town of Tonawanda SEQRA Committee for review and recommendation; and

WHEREAS, the Planning Board of the Town of Tonawanda, as lead agency, has conducted its own independent review of the EAF and all other relevant data furnished by the Applicant, and also reviewed the minutes of the SEQRA Committee meeting held on January 11, 2017 in which the SEQRA Committee recommended to the Planning Board, as lead agency, that the proposed action is an unlisted activity which will not have a significant adverse impact on the environment and that a negative declaration should be issued; and

WHEREAS, the Planning Board, as lead agency, has applied the criteria listed in 6 NYCRR 617.7 to this action and considering all the relevant documentation and information submitted, determines that this action will not have a significant adverse impact on the environment; and


WHEREAS, the Planning Board of the Town of Tonawanda, as lead agency, concurs with the recommendation of the SEQRA Committee; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Town of Tonawanda, as lead agency, for the SEQRA review of the proposed action hereby issues a negative declaration in connection with this unlisted activity; and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to execute any necessary documents relating to an issuance of a negative declaration of significance.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Joseph Frandina
SECONDER:	Denis Uminski
AYES:	Kenneth Swanekamp, Fred Kubus, Robert Morris

I do certify that I have compared the foregoing with the original minutes of the regular meeting of the Planning Board held on February 1, 2017 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by said Planning Board are on file in the Town Clerk’s Office.


Kenneth Swanekamp, Chairman
Town of Tonawanda, NY

Site Plan Review

3333 River Road – Sumitomo Rubber expansion

Applicant: Travis Gruszka – Scheid Architectural

Harold Knittel - Lehigh Contruction

Chris Marzek - Sumitomo Rubber USA, LLC

At the January 4, 2017 meeting the Board members tabled site plan approval pending SEQR review and a revised site plan showing additional landscaping.

The applicant submitted a revised landscape plan.

MOTION: Approve the Site Plan Application of Sumitomo Rubber USA, for an approximately 34,000 sq. ft. addition located at 3333 River Road and Authorize the Chairman to Execute any Necessary Documents in Connection Therewith.

WHEREAS, the Planning Board issued a Negative Declaration in accordance with 6 NYCRR, Part 617 and §27-11B (5) of the Town code.

WHEREAS, Sumitomo Rubber USA, has applied to the Town of Tonawanda Planning Board for Site Plan review for 3333 River Road; and

WHEREAS, the Planning Board on February 1, 2017 held a public hearing on the Site Plan application; and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project; and

WHEREAS, the Site Plan was referred to the Town’s various review agencies for comments; and

WHEREAS, the Planning Board made its findings in accordance with §27-11B (4) of the Town Code; and

BE IT FURTHER RESOLVED, that the Planning Board, in accordance with §27-10 of the Town Code, hereby **Approves** said Site Plan dated 12/21/16 and

BE IT FURTHER RESOLVED, that the Planning Board shall file said determination with the Town Clerk pursuant to §27-11B(7); and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to execute any necessary documents in connection with this determination.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Denis Uminski
SECONDER:	Robert Morris
AYES:	Kenneth Swanekamp, Fred Kubus, Joseph Frandina

I do certify that I have compared the foregoing with the original minutes of the regular meeting of the Planning Board held on February 1, 2017 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by said Planning Board are on file in the Town Clerk's Office



Kenneth J. Swanekamp
Kenneth Swanekamp, Chairman
Town of Tonawanda, NY

Site Plan Review

2494, 2504 2510 & 2520 Niagara Falls Blvd. – Delta Sonic car wash

At the January 4, 2017 meeting the Chairman reported that comments from the DOT were received asking for a revised traffic flow design. The applicant advised the Board that the traffic flow modifications have been made and he would attend the February 1, 2017 meeting. However, the applicant was unable to attend and rescheduled for the March 1, 2017 meeting

Preliminary Site Plan Review

55 Pirson Parkway – Unifrax, 83,000 sq. ft. manufacturing building

Applicants: Kristin Savard, PE - Advanced Design Group

Dave Ricketts – Unifrax

The Board members held a discussion with the applicants regarding the site plan application for a new 83,000 sq. ft. manufacturing building for Unifrax located at 55 Piroson Parkway. The Planning Board had conditionally approved the site plan at the November 5, 2014 meeting subject to the following conditions:

- Property transfer to Unifrax I, LLC

- Final engineering approval
- Final architectural review
- Elevations
- Softening of the landscaping on the thruway (290) side
- Town department comments

Kristen Savard stated that prior to final site plan approval the project was relocated to Europe in early 2015 and then recently relocated back to the Town of Tonawanda.

The Chairman informed the applicant that the Board received a letter from the town engineer stating that an updated storm water management plan that reflects the current changes will be required and that the Town draft Complete Streets policy requires sidewalks.

The Chairman stated that a review by National Fuel of the site plan drawings will be required to make sure there are no issues with the existing 20” gas line along the southern portion of the property. Mr. Morris requested a letter from National Fuel confirming their position on the gas line.

The Chairman also noted that the driveway entry points are extremely wide and need to be narrowed and sidewalks need to be installed along with additional landscaping.

Kristin Savard stated that they have updated the property survey, submitted an updated storm water management plan and have been in contact with National Fuel regarding the gas line. She also stated that they are limited with respect to landscaping and will soften the façade of the building with soft colors and lighting.

The Board tabled discussion pending and updated site plan with the conditions noted above and SEQR review.

Preliminary Site Plan Review

100 Fire Tower Drive – USTC outdoor storage

Applicants: Jason Utzig C&S Companies

The Board members held a discussion with the applicants regarding the site plan application for a 28,000 sq. ft. expansion of an outdoor storage area for USTC located at 100 Fire Tower Drive.

The Board requested additional trees be planted along the sides of the building and plant additional trees on Fire Tower Drive.

The Board tabled further discussion pending SEQR review and a revised landscape plan.

Upon receipt of the information requested the applicant will be invited to the next Planning Board meeting.

Preliminary Site Plan Review and Special Use Permit

797 Sheridan Drive – Boss Cars, used car sales

Representative: Anthony Mussachio – Mussachio Architects

Owner: Lazar Hayward

The Board members held a discussion with the applicants regarding the Special Use Permit and site plan application for a used car sales operation located at 797 Sheridan Drive. Site Plan approval will be granted at the March 1, 2017 meeting, providing the applicants comply with the conditions listed in the Special Use Permit.

RESOLUTION:

Mr. Kubus moved that the Planning Board does hereby recommend approval to issue a Special Use Permit for Boss Cars USA at 797 Sheridan Drive for Used Auto Sales in a “C” General Business District including the following provisions:

1. The applicant must possess a current NYS Dept. of Motor Vehicles Official Business Certificate as a used auto sales dealer.
2. Hours of operation shall be from 9:00 A.M. to 7:00 P.M. Monday through Saturday.
3. The property must be in an orderly arrangement and well maintained.
4. The quantity of used passenger cars shall not exceed four (4) cars for sale on the property with locations as shown on the drawing submitted with the application.
5. The area utilized for the sale of used cars must be asphalt or concrete paved and properly drained.
6. The spaces utilized for the vehicles for sale shall be outlined with 3” wide white or yellow striping.
7. All vehicles for sale must be in a state of good condition and repair and pass NYS inspection.
8. The total number of vehicles parked on site including those for sale shall not exceed ten (10) and shall be located as shown on the drawing submitted with the application.
9. The sidewalks along Mapleview Drive that are damaged shall be repaired or replaced.
10. Ten (10) percent of the property shall be green space in accordance with the provisions established in the code.
11. Plant three (3) trees along Mapleview Drive.
12. Install planters (may be included in the ten (10) percent green space requirement).

13. Install a 6' opaque privacy fence along the property line adjacent to the residential properties.
14. A letter from the property owner agreeing to the conditions noted above.
15. No banners, streamers, pennants flags, strings of lights, strobe lights, nor any other moveable advertising devices shall be permitted on vehicle sale or the site.
16. Lighting of the used car display area shall be limited to hours of operation. All pole and elevated lights on the premises shall point directly downward.
17. No unlicensed vehicles, excluding those for sale, shall be located on the premises.
18. No vehicle shall be parked on the public right-of-way.
19. The Special Use Permit may be transferable to any subsequent owner pursuant to Chapter 215-94 of the code of Town of Tonawanda.
20. The Special Use Permit shall be issued for a period of one year and subject to annual renewal.

Seconded by Mr. Morris

Carried Five (5) Ayes and No (0) Nays

Preliminary Site Plan Review and Special Use Permit

3755 River Road – Triad, wind turbine number 2

Applicants: Padma Kasthurirangan, MSEE, - Niagara Wind and Solar

John Hannon - Triad Recycling

The Board members held discussion with the applicants regarding the installation of a wind energy 100 KW wind turbine on a 120' self-support mono-pole located at 3755 River Road.

The applicant has applied for a variance for a non-commercial wind energy system that would exceed the maximum height by approximately (10) feet and would encroach approximately (663) feet into the required setback from any dwelling.

The Board tabled their decision pending SEQR review and ZBA approval.

**Wind Energy Conversion System – Article XXVI – Revision to Code
Telecommunications Towers – Article XXIV – Revision to Code
Update**

A discussion was held with Drew Reilly from Wendel Companies, on the draft proposal on the revisions to the WECS and Telecommunications Tower code. After discussion of the draft proposal, Drew Reilly will draft the final proposal and forward to Jim Hartz, the Town attorney and Planning Board for review.

Status - NFTA Rails to Trails Project

Jim Jones reported that a meeting was held with National Grid to determine who will be responsible for SEQR, site plan review and the zoning due to the fact that the sub-station is located in both the Town of Tonawanda and the City of Tonawanda.

Tonawanda POWER Project/Huntley study – UBRI – Status

Tabled

Planning Board Parking Waiver authority

Tabled

**Bikeways
Complete Streets Policy**

Tabled

Tonawanda Opportunity Area Planning Study/BOA – status

Tabled

Niagara Falls Boulevard Planning with Town of Amherst – status

Tabled

Meeting adjourned 9:05 PM

Respectfully submitted,

Fred Kubus/jd
Secretary