REGULAR MEETING OF THE
TOWN OF EVANS PLANNING BOARD
WEDNESDAY, JANUARY 31, 2024

MEMBERS PRESENT: Chairwoman A. Sellers, J. Pinter, L. Szewczyk, D. Schiedel, M. Keller, J. Mesi

ALSO PRESENT: William Smith, Director of Planning & Community Development
Brittany Penberthy, Deputy Town Counsel
John Wilson, Town Councilman, Planning Board Liaison

APPLICANTS/REPRESENTATIVES: Joe McNeil and Robert Waterman

Chair: I would like to welcome everyone to the January 31, 2024 Planning Board meeting.

All public meetings and public hearings currently scheduled before the Planning Board of the Town of Evans, will be held both in person and by remote access via Zoom while giving the public the ability to listen in and comment when given the opportunity. If any person wishes to comment on these actions, it is their right to do so when the floor is opened to the public. At that time, we ask that anyone who wishes to speak please clearly state your name and address, spelling your last name for the record. Those attending online may "raise their hand" using the function on your Zoom interface. Each person is limited to one opportunity to speak and comments shall be limited to 3 minutes.

For the record, a Planning Board Public Meeting is conducted solely for the pre-determined action items listed on the official Planning Board Agenda and/or any other business that may be presently before the Planning Board as advertised.

1. The only item on the agenda this evening is a:

Site Plan – Conversion of former auto dealership located at 8327 Erie Road, Angola, SBL# 220.19-2-8.1 to indoor self-storage. Applicant: Signet AB LLC (DBA 716 Storage LLC), 8327 Erie Road, Angola NY 14006.

PROJECT BACKGROUND:

- The applicant purchased the former Catalano Motors building in July of 2023.
- The applicant and his engineer first met with the Planning Director to discuss the proposed project on July 13, 2023.
- The applicant then filed a formal Site Plan Review Application with the Planning Department on October 13, 2023, and reviewed the proposed project with the Planning Board at both the October 25, 2023 and January 10, 2024 work sessions.
- The applicant is now before us this evening seeking Site Plan approval.

INTERDEPARTMENTAL REVIEWS:

- **Planning Director, Bill Smith:** *Bill*
    - Proposed facility is a permitted use in the Motor Service District.

- Project brings a pre-existing non-conforming property into greater conformance with architectural design standards through façade, landscape and pedestrian improvements.
- No objections to approving the latest site plan submittal.
- **Code Enforcement Officer:** John Flading has no objections to the project.
- **Town Engineer, CPL, Dave Johnson**: provided a list of comments. All comments were addressed satisfactorily.
- **Erie County Department of Environment and Planning:** a 239M Review was sent to the County as required. Most of their comments were fairly boiler plate, but they did point out, which is also a recommendation from the Town's Comprehensive Plan and now a standard in our Architectural Design Code, was the implementation of sidewalks. Other than that, they determined that the matter was of local concern. All comments were addressed.
- **NYS Department of Transportation:** obviously there is a NYS work permit required plus they requested the applicant remove all curb cuts from Route 5 and utilize the side street; the applicant has done that on this submission.
- **SHPO:** we received a letter of no impact from SHPO.

Chair:

- **Deputy Attorney, Brittany Penberthy**: No comments.
- **SEQR:** A coordinated review was conducted and the Planning Board has reviewed the site plan application and have found no significant environmental concerns.
- At this time, I will ask the applicant if they wish to address the Planning Board with any further information than previously submitted.

Joe McNeil, Architect presented new rendering display boards of the building/site. The boards presented showed the landscaping as requested at the previous work session. Mr. McNeil also stated that they had been in contact with the NYSDOT through Chris Wood and because of a utility easement, so they may only be able to install 4-foot sidewalks versus 5 which was their original proposal.

The Planning Board had no issue with 4-foot sidewalks.

Chair: There being no further comments from the petitioner are there any questions or comments from the Board before I open the floor to the public?

L. Szewczyk commented although she strongly objects to storage units on the main corridor of Route 5, she understood that it was an accepted use for the site and really appreciated how attractive the applicant made the building.

The board agreed that it really doesn't look like a storage facility.

J. Pinter commented that he liked the entrance in the back of the building and confirmed the curb cuts.

Mr. McNeil pointed out the curb cuts and also discussed how they determined that more storage units are viable for the area based on traffic, number and size of residences, etc.

Chair: There being no further questions or comments from the Board, I will open the floor for

any public comment. Is there anyone else who wishes to speak?

No public comments

There being no further comments, I will close the floor and bring it back to the Planning Board for further questions/comments. Are there any further questions or comments from the Planning Board?

There being no further questions from the Planning Board may I please have two motions; one regarding SEQR and one regarding Site Plan approval.

L. Szewczyk: SEQR Negative Declaration Motion

WHEREAS, the Planning Board of the Town of Evans has been declared Lead Agency for the SEQR process for the proposed conversion of the former auto dealership at 8327 Erie Rd., Angola, NY 14006 (SBL# 220.19-2-8.1) for use as an indoor self-storage facility; and

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Evans Planning Board has reviewed the proposed project; and

WHEREAS, the Planning Board considered all of the criteria for Determination of Significance listed in the SEQR regulations (6NYCRR 617.11), and has found that the proposed action is not anticipated to result in any significant adverse impacts on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby issues a Negative Declaration, thereby concluding that the project will not adversely affect the natural resources of the State and/or health, safety, and welfare of the public and is consistent with social and economic considerations.

M. Keller: Second.

Roll Call Vote: All in Favor…Carried

L. Szewczyk: Site Plan Approval Motion

WHEREAS, the Planning Board of the Town of Evans has carefully reviewed the proposed conversion of the former automotive dealership located at 8327 Erie Rd., Angola, NY 14006 (SBL# 220.19-2-8.1) in the Motor Services (MS) zoning district for reuse as an indoor self-storage facility; and

WHEREAS, according to Town Code Chapter 200-22, storage facilities are a permitted use within the MS District; and

WHEREAS, proposed alterations to the pre-existing non-conforming parcel and structure on the site will result in closer conformance with current zoning and design standards; and

WHEREAS, the Planning Board has issued a SEQR negative declaration and determined that the applicant has met all requirements for site plan approval.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board approves the project as presented based, in part, on the following reason:

- The project constitutes the reuse of a vacant and underutilized commercial property in the Town, and is not expected to result in any significant adverse impacts.

D. Schiedel: Second.

Roll Call Vote: All in Favor…Carried

Chair - <u>NEXT STEPS</u>: We will send a letter to the Code Enforcement Office advising them of our action this evening; please continue to work closely with their office as you continue through the building permit process which is under their jurisdiction. Good luck and best wishes to you. Thank you everyone for joining in on our meeting this evening, whether in-person or remotely. May I please have a motion to adjourn.

L. Szewczyk: Motion to adjourn
M. Keller: Second

ROLL CALL VOTE: Chairwoman Sellers
J. Pinter
L. Szewczyk
D. Schiedel
M. Keller
J. Mesi

All in Favor

Chair: Carried. Good night everyone.

Respectfully submitted,
Debra L. Wilson
Secretary