

John C. Whitney - Supervisor
 Michael H. Madigan - Councilman
 Jennifer L. Baney - Councilwoman
 Peter Marston, Jr. - Councilman
 Thomas A. Digati - Councilman
 Patricia A. Frentzel - Town Clerk
 Peter C. Godfrey - Town Attorney

TOWN BOARD OF THE TOWN OF GRAND ISLAND
 Grand Island Town Hall
 2255 Baseline Rd. — Grand Island, New York 14072

Date: October 19, 2020
 Time: 8:00 P.M.

**HEARING IMPAIRED LISTENING
 DEVICES AVAILABLE ON REQUEST**

In the event of a fire or other emergency, please follow the exit signs that are provided in this room and throughout Town Hall.

	TITLE:	DISPOSITION:
I	<u>ROLL CALL:</u> Town Clerk	
II	<u>INVOCATION:</u> Bible Presbyterian Church	
III	<u>PLEDGE:</u> Councilman Thomas A. Digati	
IV	<u>INFORMATION MEETING:</u> Southpointe PDD A. Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe B. Resolution to Approve Revised Development Concept Plan of Associated Grand Island LLC for the Adult Lifestyle Planned Unit Development at Southpointe C. Establishment of the Southpointe Extension to the Consolidated Sewer District (2020)	
V	<u>PUBLIC COMMENTS:</u> - AGENDA ITEMS ONLY	
VI	<u>MINUTES:</u> 1. Approve Minutes of Workshop Meeting #38, October 5, 2020 2. Approve Minutes of Regular Meeting #18, October 5, 2020 3. Approve Minutes of Workshop Meeting #39, October 7, 2020	
VII	<u>CONSENT AGENDA:</u> 1. Meeting Minutes – Zoning Board of Appeals – September 3, 2020 2. Meeting Minutes – Planning Board – September 14, 2020 <u>COMMUNICATIONS –TOWN BOARD:</u>	
VIII	<u>COUNCILWOMAN JENNIFER L. BANEY:</u> 1. Traffic Safety Advisory Board – DRAFT Complete Streets Policy 2. Traffic Safety Advisory Board – Traffic and Pedestrian Analysis, Thermo Fisher Scientific <u>COMMUNICATIONS – OTHER TOWN OFFICIALS:</u>	
IX	<u>JUSTICE COURT:</u> 1. Part-time Hire	

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	TITLE:	DISPOSITION:
X	<u>DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:</u> 1. Authorize Supervisor to Sign Amended Supplemental Agreement (SA#3) – NYSDOT Grand Island Boulevard Accessibility Project – PIN 5762.27 Comptrollers Contract # D035733 2. Community Development Block Grant – Amended 2021-2022 Authorizing Resolution 3. Award Bid – Tow Hall HVAC – Asbestos Abatement – Job # M-69-2019	
XI	<u>PLANNING BOARD:</u> 1. E2i Ventures, LLC, 1725 Grand Island Boulevard – Site Plan Approval	
XII	<u>REPORT OF THE AUDIT COMMITTEE:</u>	
XIII	<u>UNFINISHED BUSINESS:</u> 1. Special Use Permit Renewal – Grand Island Development, LLC – 1611 Whitehaven Road – Solar Array Project 2. Create Town of Grand Island Agricultural Advisory Board A. Correspondence – Planning Board B. Correspondence – Planning Board	
XIV	<u>PUBLIC COMMENTS:</u>	
XV	<u>FROM THE BOARD:</u>	
XVI	<u>MEMORIAL ADJOURNMENT:</u> James Dempsey David Foote, Jr.	

Town of Grand Island - Workshop Meeting #38 **DRAFT COPY**

A workshop* meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Road, Grand Island, NY at 6:30p.m. on the 5th of October 2020.

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston, Jr.	Councilman
	Thomas A. Digati	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Also Present:	Richard Crawford	Highway Superintendent
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*The Workshop Meeting was conducted in the courtroom, via ZOOM and streamed live on the Town's website – www.grandislandny.us

Supervisor John C. Whitney called the meeting to order at 6:38p.m.

NEW ITEMS:

General Discussion:

Award Bid – Town Hall Gazebo – Job # M-69-19 – Move forward with award of bid. Grand Island High School BOCES students unable to complete project due to COVID restrictions

Snow Plowing Permits – Draft “Permit Application” reviewed, Town Attorney to draft Local Law for future consideration

GIS Monthly Meeting Update – Water Department, Wastewater, COVID Application

Sidewalk District – A resident requested creation of Sidewalk District for newly installed sidewalks on Grand Island Boulevard – District would cover maintenance, snow removal

Conduit for Baseline Sidewalk Project – Technology Advisory Board would like Town to comply with “Dig Once” policy – when sidewalk is installed on Baseline Road, install conduit along Town property – Baseline Road from Grand Island Boulevard to Whitehaven. Engineering Department to seek informal cost estimates and report back to the Town Board.

SEQR – Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan

Approval/Master Plan & Hugill Storage, Inc., 2612 Bedell Road – Site Plan

Approval/Master Plan – Both SEQRs to be done at 8:00p.m. meeting.

Safety Needs Assessment – An RFP was sent out to address the wide scale safety and security goals on all Town Hall properties in the early part of the year. Proposals from three (3) companies including the Scope of Work can be reviewed by Town Board members. Further discussion and decisions to be made at a later meeting.

Town of Grand Island - Workshop Meeting #38

EXECUTIVE SESSION:

A motion was made by Councilwoman Baney, seconded by Councilman Digati to enter into Executive Session at 7:17p.m. for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) employed by the Town and to obtain legal advice from the Town Attorney.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Highway Superintendent Richard Crawford was present in Executive Session.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to return to the Regular Workshop at 7:58p.m.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Restore Vacation Pay

A motion was made by Councilman Marston, seconded by Councilman Digati to restore 40 hours of vacation pay for Joseph Zito.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

ADJOURN:

A motion was made by Councilman Digati, seconded by Councilman Madigan to return to adjourn at 8:00p.m.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

Monday, October 5, 2020 - 2

Town of Grand Island – Regular Meeting #18

A regular meeting* of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Rd., Grand Island, NY at 8:00p.m. on the 5th of October, 2020.

**DRAFT
COPY**

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston Jr.	Councilman
	Thomas A. Digati	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m.

Pastor Calvin VanderMey from Bible Fellowship Center gave the Invocation.

Councilman Peter Marston, Jr. led the Pledge of Allegiance.

*Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Town Board of the Town of Grand Island's meetings will be held electronically via the Town's website link/You Tube Channel. Members of the public may attend the meeting, or may view the Town Board's meetings by connecting to the You Tube Channel via the Town's website: www.grandislandny.us.

*The Meeting was conducted in the courtroom, via ZOOM and streamed live on the Town's website – www.grandislandny.us

PUBLIC COMMENTS:

This is an opportunity for residents to comment on any matter regarding the meeting agenda items only.

Speakers: Via ZOOM – Nicole Gerber, Dave Reilly, Patrick Brown,
Cathy Rayhill
In person – Barbara Berry

PUBLIC HEARING:

Community Development Block Grant – 2021

A Public Hearing was held on Monday, October 5, 2020 at 8:00p.m. to hear anyone who wanted to comment on possible Community Development Block Grant projects for 2021.

Speakers: None

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to adopt the following resolution:

WHEREAS, the Town of Grand Island seeks to participate in the 2021-2022 Erie County Community Development Block Grant Program, and

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Town of Grand Island – Regular Meeting #18

WHEREAS, the Town of Grand Island held a public hearing for comments on proposed projects for the year 2021 on October 5, 2020, and

WHEREAS, a few projects were brought up and the Town Board has agreed to submit one grant application for CDBG for the year 2021 and one application for CDBG-CV for the year 2021.

THEREFORE, be it resolved as follows:

The Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute a contract(s) with the Erie County Community Development Block Grant (CDBG) Program for the following projects by priority not to exceed \$150,000.00:

1. Golden Age Center & Nike Base Park Facilities: Construction of ADA-accessible pavilion.
2. Installation of ADA-accessible sidewalks in Grandyle Village area of Town.
3. Golden Age Center & Nike Base Park Facilities: Reconstruction/resurfacing of existing Tennis Courts.
4. Golden Age Center & Nike Base Park Facilities: Recreation Office/Senior Programming building improvements.

And, The Town of Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute a contract(s) with Erie County Community Development Block Grant – Cares Act fund (CDBG-CV) Program for the following projects by priority not to exceed \$200,000.00:

1. Installation of Splash Pad at Tower Park (Duplex area of Town)

This resolution shall take effect immediately.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

MINUTES

A motion was made by Councilman Digati, seconded by Councilman Madigan to approve Minutes of Workshop Meeting #37, September 21, 2020 and Minutes of Regular Meeting #17, September 21, 2020.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

CONSENT AGENDA:

1. Meeting Minutes – Technology Advisory Board – August 20, 2020
2. Meeting Minutes – Conservation Advisory Board – August 27, 2020
3. Building Permits Issued – September 2020
4. Golden Age Center – Facility Usage – September 2020

A motion was made by Councilman Marston, seconded by Councilman Digati to approve the consent agenda as distributed.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

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Town of Grand Island – Regular Meeting #18

COMMUNICATIONS – TOWN BOARD:

COUNCILMAN PETER MARSTON, JR.:

Resignation – Economic Development Advisory Board

A motion was made by Councilman Marston, seconded by Councilwoman Baney to accept the resignation of Alyssa Quarentello from the Economic Development Advisory Board with regret. A certificate of appreciation will be sent to Ms. Quarentello.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Appointment – Economic Development Advisory Board

A motion was made by Councilman Marston, seconded by Councilman Madigan to appoint Drew Quigley to the vacant position on the Economic Development Advisory Board with a term expiring December 31, 2022.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Appointments – Economic Development Advisory Board

A motion was made by Councilman Marston, seconded by Councilman Digati to appoint Gary Roesch and Jennifer Pusatier as Alternates on the Economic Development Advisory Board with both terms expiring December 31, 2020.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN CLERK – PATRICIA ANDERSON FRENTZEL:

Early Voting/Absentee Voting

Town Clerk Patricia Anderson Frentzel reported on the Early Voting Locations in Erie County and absentee ballot information.

For information purposes only. No Town Board Action.

JUSTICE COURT:

Grant Application – 2020 New York State Unified Court System – Justice Court Assistance Program

The Grand Island Town Court is in the process of applying for a JCAP (Justice Court Assistance Program Grant) with regard to enclosing the Town Hall 2nd floor conference room. This request is being made as there is insufficient space for court night attorney/client conversations, Attorney of the Day attorney/defendant conversations as well as an appropriate space for our Domestic Violence advocate to speak with victims on court nights.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to adopt the following resolution:

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local

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Town of Grand Island – Regular Meeting #18

Justice Court's with needed security equipment, court facility construction/renovation and furniture.

WHEREAS, the funding available under the State of New York Unified Court System would facilitate local efforts in upgrading the Town's Justice Court.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Grand Island is hereby authorized and directed to file an application with the Justice Court Assistance Program not to exceed the amount of \$30,000.00 in grant funding.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:

Authorize Supervisor to Sign Professional Services Agreement – WWTP

Improvements/Sludge Dewatering – Job # M-231

A motion was made by Councilman Digati, seconded by Councilman Marston to authorize the Supervisor to sign the Professional Services Agreement with GHD for the WWTP Improvements/Sludge Dewatering – Job # M-231 in the amount of \$204,700.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Award Bid – Grand Island Town Hall Elevator Addition – Job # M-69-2018

Town Engineer Robert Westfall reported that on September 23, 2020, the following bids were received for the Grand Island Town Hall Elevator Addition:

Peak Construction Group, LLC	\$336,000.00
Concept Construction Corp.	\$337,000.00
RP Oak Hill Building Co., Inc.	\$382,000.00
Rodriguez Construction Group	\$398,244.00
Sicoli Construction Services, Inc.	\$437,800.00

After careful review of the proposals, Mr. Westfall recommended award to Peak Construction, LLC in the amount of \$336,000. After further review the Town Board was informed that Peak Construction did not meet the specification requirements for bidding, therefore it is recommended to reject the bid from Peak Construction, LLC and award the Concept Construction Corp. in the amount of \$337,000.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to accept the recommendation of the Town Engineer and reject the bid from Peak Construction, LLC and award the bid for the Grand Island Town Hall Elevator Addition – Job # M-69-2018 to Concept Construction, Corp. in the amount of \$337,000.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

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Town of Grand Island – Regular Meeting #18

TOWN ACCOUNTANT – PAMELA BARTON:

2020 Budget Amendment

The Town Court applied for a Justice Court (JCAP) NYS Grant for the 2020/2021 Budget year in the amount of \$599.86 for the purpose of providing PPE for the use with Court services.

A motion was made by Councilman Digati, seconded by Councilwoman Baney to approve the following budget amendment for 2020:

Increase Revenue

NYS Grants	001.0001.3007	\$600.00
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Increase Appropriations

Justice Court – Dept. Supplies	001.1110.0443	\$600.00
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APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Budget Amendment – General Fund – Sidewalks

The town is in receipt of the three (3) checks for \$194,201.71, \$246,806.82 and \$377,600.58 from a NYS DOT grant, for the purpose of defraying the cost of the GI Boulevard Project.

A motion was made by Councilwoman Baney, seconded by Councilman Marston to approve the following budget amendment for 2020:

Increase Revenue

General Fund – Revenue

NYS Grants	001.0001.3007	\$818,609
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Increase Appropriations

General Fund – Expenditures

Sidewalks – Equipment	001.5410.0200	\$818,609
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APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Budget Amendment

Recently, a resident kindly donated funds to the Town for the benefit of the Police and Court Services. Both the Court Office and Police agreed the funds would be welcomed to defray the cost of a bullet proof vest for an officer. The Town greatly appreciates this generous donation.

A motion was made by Councilman Madigan, seconded by Councilman Marston to approve the following budget amendment for 2020:

Increase Revenue A/C	001.0001.2709	Donations	\$400
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Increase Appropriation	001.3120.0444	Police-Uniforms	\$400
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APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

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Town of Grand Island – Regular Meeting #18

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Carol M. Merckel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres

Town Code §407-117 A. (4) states a special use permit shall expire, where no structure is involved, or if the lot shall not have been put into use for which the permit was granted, within 12 months after the date of issue of such permit.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to accept the recommendation of the Code Enforcement Office and deny the renewal of the Special Use Permit for Carol M. Merckel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – National Fuel Gas Supply Corp., 1589 Stony Point Road – Natural Gas Regulator/Metering Station

A motion was made by Councilman Digati, seconded by Councilman Madigan to renew the Special Use Permit for National Fuel Gas Supply Corp., 1589 Stony Point Road – Natural Gas Regulator/Metering Station. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – T. Duffy MacGuire, 3062 Whitehaven Road – Bed & Breakfast

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to renew the Special Use Permit for T. Duffy MacGuire, 3062 Whitehaven Road – Bed & Breakfast. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Tower Permit Renewal – Crown Castle – 318 Baseline Road

A motion was made by Councilman Digati, seconded by Councilman Marston to renew the Tower Permit for Crown Castle – 318 Baseline Road. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Tower Permit Renewal – AT&T Mobility – 85 Carl Road

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to renew the Tower Permit for AT&T Mobility – 85 Carl Road. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

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Town of Grand Island – Regular Meeting #18

Special Use Permit Renewal – Jennifer Tirone, 993 Whitehaven Road – Keeping of up to 4 Agricultural Animals on 5.9 Acres

A motion was made by Councilman Madigan, seconded by Councilman Digati to renew the Special Use Permit for Jennifer Tirone, 993 Whitehaven Road – Keeping of up to 4 Agricultural Animals on 5.9 Acres. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – WNY Towing by Marty's, Inc., 1733 Baseline Road – Motor Vehicle Repair Shop

A motion was made by Councilman Marston, seconded by Councilwoman Baney to renew the Special Use Permit for WNY Towing by Marty's, Inc., 1733 Baseline Road – Motor Vehicle Repair Shop. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – Speedway #9881, 1898 Whitehaven Road – Convenience Store & Fueling Station

A motion was made by Councilman Madigan, seconded by Councilman Digati to renew the Special Use Permit for Speedway #9881, 1898 Whitehaven Road – Convenience Store & Fueling Station. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – Speedway #9882, 2024 Grand Island Boulevard – Convenience Store (Modified Space)

A motion was made by Councilman Digati, seconded by Councilwoman Baney to renew the Special Use Permit for Speedway #9882, 2024 Grand Island Boulevard – Convenience Store (Modified Space). The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – Jeffrey D. Matthews, 2389 Whitehaven Road – Operate Motor Vehicle Repair Service M2 Zone

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to renew the Special Use Permit for Jeffrey D. Matthews, 2389 Whitehaven Road – Operate Motor Vehicle Repair Service M-2 Zone. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

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Town of Grand Island – Regular Meeting #18

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Baney, seconded by Councilman Digati to pay Vouchers #132565 - #132685

General	\$128,605.23
Highway	\$ 54,156.29
Sewer	\$ 24,099.97
Water	\$ 18,544.10
Capital	<u>\$299,996.05</u>
Total	\$525,401.64

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

UNFINISHED BUSINESS:

Southpointe PDD – Development Concept Plan – Revised

- A. Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe**
- B. Resolution to Approve Revised Development Concept Plan of Associated Grand Island LLC for the Adult Lifestyle Planned Unit Development at Southpointe**
- C. Establishment of the Southpointe Extension to the Consolidated Sewer District (2020)**

A motion was made by Councilman Digati, seconded by Councilman Marston to discuss the possible approval of a Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe.

MOTION WITHDRAWN.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to table the Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe. Subsequently, items B. and C. are not able to move forward, pending SEQR.

APPROVED Ayes 4 Madigan, Baney, Marston, Whitney
 Noes 1 Digati

A motion was made by Councilman Madigan, seconded by Councilman Digati to set an Informational Meeting regarding the Southpointe PDD – Revised Development Concept Plan on Monday, October 19, 2020 at 8:00p.m. The developer will be asked to make a presentation and be prepared to answer questions submitted in advance from the public and questions from the Town Board. Comments/questions can be submitted no later than Wednesday, October 15, 2020 at noon to: publiccomments@grand-island.ny.us.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Special Use Permit Renewal – Grand Island Development, LLC – 1611 Whitehaven Road – Solar Array Project

Remains Tabled.

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Town of Grand Island – Regular Meeting #18

SEQR – Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1 & Local Law Intro #12 of 2019 – Rezoning SBL #36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A

A motion was made by Councilwoman Baney, seconded by Councilman Digati to adopt the following resolution:

WHEREAS, application were received by the Town of Grand Island for rezoning Alvin Road (SBL#36.00-2-8.1 as described in further detail in Local Law No. 11) from B-1/R-1A to B-1; rezoning of 2356 Whitehaven Road, Grand Island, N.Y. (SBL# 36.00-2-7 as described in further detail in Local Law No. 12) from R-1A/B-1 to R-1A, Special Use Permit for Solar System and Site Plan Review for Solar System, and

WHEREAS, the proposed actions involve the adoption of amendments to the Town of Grand Island's zoning ordinance, a special use permit and site plan and are therefore actions under Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act ("SEQR"); and

WHEREAS, Holdco LLC BayWa r.e. Development and Land Holdco LLC BayWa r.e. Development ("Applicants") have applied to the Town of Grand Island ("Town") for a Special Use Permit and Site Plan Review for a solar energy system on the above listed properties, and

WHEREAS, the proposed action is a Type I, and

WHEREAS, the Town Board issued a Notice of Intent to be Lead Agency in order to have a coordinated review, and no other agency has objected to the Town assuming Lead Agency, and the time for such comment or objection has passed, and

WHEREAS, the Town Board of the Town of Grand Island, in performing the lead agency function in accordance with SEQR (i) thoroughly reviewed the Long Form Environmental Assessment Form (the "Long EAF"), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review and public comments, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed actions may have a significant adverse impact on the environment, including the criteria in 6 NYCRR §617.7 (c), and (iii) completed the Long EAF, Part II:

WHEREAS, the Town Board of the Town of Grand Island has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by "SEQRA". The Town Board of the Town of Grand Island compared the proposed Action with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

APPROVED	Ayes	3	Marston, Digati, Whitney
	Noes	2	Madigan, Baney

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Town of Grand Island – Regular Meeting #18

Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1

A motion was made by Councilman Digati, seconded by Councilman Marston to adopt Local Law #12 of 2020 as follows:

Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that SBL #:36.00-2-8.1, Alvin Road, shall be and hereby is rezoned from B-1/R-1A to B-1.

WHICH PREMISES ARE DESCRIBED AS FOLLOWS:

All that tract or parcel of land situate in the Town of Grand Island, County of Erie, and the State of New York, being part of Lot No. 58 on said Island, bounded and described as follows:

BEGINNING at a point on the southwesterly line of Alvin Road (66 feet wide), as Appropriated by the state of New York as described in a deed filed in the Erie County Clerk's office in Uber 5600 page 491 Map 954 Page 954, a distance of 627.49 feet southeasterly from the intersection of the Lands Appropriated for New York State Thruway as described in a deed filed in the Erie County Clerk's office in Uber 5670, Page 356, Map 893, Parcel 893 which last mentioned line, being also the south Right Of Wayline of Whitehaven Road, said point also being the northeast corner of lands deeded to Eugene J. Ryshkus Jr. and Christine Borland-Ryshkus in Liber 11031, page 7388.

Thence southwesterly along the Northerly line of said Ryshkus lands at an interior angel of 90°01'55" a distance of 219.19 feet to a point;

Thence southerly along the west line of said Ryshkus lands at an interior angel of 233°18'43" a distance of 140.01 feet to a point;

Thence Westerly at an interior angle of 89°19'08" a distance of 421.66 feet to a point; Thence northerly at an interior angle of 90°00'00" a distance of 263.10 feet to a point;

Thence northeasterly at an interior angle of 127°20'14" a distance of 478.46 feet to a point on the southwesterly line of Alvin Road as Appropriated;

Thence southerly along the southwesterly line of Alvin Road at an interior angel of 90°00'03" a distance of 352.48 feet to the POINT OR PLACE OF BEGINNING.

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Town of Grand Island – Regular Meeting #18

The above described parcel contains 4.769 acres more or less.

Section II. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

APPROVED	Ayes	3	Marston, Digati, Whitney
	Noes	2	Madigan, Baney

Local Law Intro #12 of 2019 – Rezoning SBL #36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A

A. Correspondence – Planning Board – Site Plan Approval

A motion was made by Councilman Digati, seconded by Councilman Marston to adopt Local Law #13 of 2020 as follows:

Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that SBL #:36.00-2-7, 2356 Whitehaven Road, shall be and hereby is rezoned from R-1A/B-1 to R-1A.

WHICH PREMISES ARE DESCRIBED AS FOLLOWS:

All that tract or parcel of land situate in the Town of Grand Island, County of Erie, and the State of New York, being part of Lot No. 58 on said Island, bounded and described as follows:

Beginning at a point on the north line of lot 58 being also the center line of Whitehaven Road (66' Wide), also known as the northwest corner of lands conveyed to John Kaiser and Matilda Kaiser, his wife by Lottie Schieb by a deed recorded in the Erie County Clerk's office in Uber 1338 page 415;

Thence easterly along the north line of Lot 58 being also the center line of Whitehaven Road a distance of 622.47 feet to the west line of Lands Appropriated for New York State Thruway and recorded in the Erie County Clerk's office in the Uber 5670, page 356, Map 893, Parcel 893;

Thence southerly along said lands Appropriated for the New York State Thruway a distance of 33.00 feet to a point in the southerly right of way line of Whitehaven Road;

Thence easterly along the south Right Of Way line of Whitehaven Road and the Lands Appropriated for New York State Thruway 92.56 feet more or less to a point on the southwesterly line of Alvin Road (66 feet wide), as Appropriated by the state of New York as described in a deed filed in the Erie County's office in Uber 5600 page 491 Map 954 Page 954;

Thence southeasterly along the southwesterly line of Alvin Road as Appropriated a distance of 275.00 feet to a point;

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Thence southwesterly at an exterior angle of 90°00'00" a distance of 478.46 feet to a point; Thence southerly at an exterior angle of 127°20'14" a distance of 263.10 feet to a point;

Thence easterly at right angles to the previous course a distance of 421.66 feet to a point on the westerly line of lands deeded to Eugene J. Ryshkus Jr. and Christine Borland-Ryshkus in Uber 11031, page 7388;

Thence southerly along the west line of said Ryshkus lands at an interior angle of 90°40'52" a distance of 197.95 feet to a point;

Thence southeasterly along the southerly line of said Ryshkus lands, parallel with Alvin Road, at an interior angle of 216°35'27" a distance of 696.28 feet to a point in the east line of Lot 58;

Thence southerly along the east line of Lot 58 at an interior angle of 143°26'37" a distance of 1099.69 feet more or less to the southeast corner of Lot 58;

Thence westerly along the south line of Lot 58 at an interior angle of 90°14'36" a distance of 1328.23 feet more or less to the west line of lands conveyed to John Kaiser and Matilda Kaiser, his wife, by Lottie Schieb by deed recorded in the Erie County Clerk's Office in Uber 1338 page 415;

Thence northerly along said west line of said Kaiser Lands at an interior angle of 89°45'16" a distance of 2667.46 feet to the POINT OR PLACE OF BEGINNING.

The above described parcel contains 64.217 acres more or less, including a portion of the Right of Way of Whitehaven Road.

Section II. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

APPROVED Ayes 3 Marston, Digati, Whitney
 Noes 2 Madigan, Baney

Special Use Permit Application – BayWa R.E., 2356 Whitehaven Road – Solar Array Project

A. Correspondence – Planning Board – Special Use Permit

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the recommendation of the Planning Board and approve the Special Use Permit for BayWa R.E., 2356 Whitehaven Road – Solar Array Project, subject to the rezoning.

APPROVED Ayes 3 Marston, Digati, Whitney
 Noes 2 Madigan, Baney

Create Town of Grand Island Agricultural Advisory Board

A. Correspondence – Planning Board

Remains Tabled.

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Award Bid – Town Hall Gazebo – Job # M-69-19

Town Engineer Robert Westfall originally reported that bids were opened on September 2, 2020 in the Engineering Office for the construction of the Town Hall Gazebo Structure (M 66-19.2) with the following results:

Kodiak Construction	no bid
Toth Construction	\$ 34,000.00
Pinto Construction	\$ 86,388.00

The item had been tabled pending the permission of students from the high school BOCES program be allowed to build the shelter at no-cost to the Town with materials that were already purchased and in storage. Due to COVID-19 restrictions on the students, the project cannot be done by students. The Town Engineer has recommended the Town move forward with the project and award the bid to Toth Construction in the amount of \$34,000.

A motion was made by Councilman Madigan, seconded by Councilman Marston to accept the recommendation of the Town Engineer and award the bid for the Town Hall Gazebo Job #M-69-19 in the amount of \$34,000.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

SEQR – Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan

Approval/Master Plan

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan Approval/Master Plan. Mr. Whitney informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Madigan, seconded by Councilman Marston to issue a Negative Declaration for Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan Approval/Master Plan.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan Approval/Master Plan

A motion was made by Councilman Marston, seconded by Councilwoman Baney to accept the recommendation of the Planning Board and approve the Site Plan Approval/Master Plan for Certified Auto Brokers, 1693 Grand Island Boulevard.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

SEQR – Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan. Mr. Whitney informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to issue a Negative Declaration for Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan.

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Town of Grand Island – Regular Meeting #18

Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan

A motion was made by Councilman Digati, seconded by Councilwoman Baney to accept the recommendation of the Planning Board and approve the Site Plan Approval/Master Plan for Hugill Storage, Inc., 2612 Bedell Road, subject to the developer including a screened fence or landscaping along the north side of the property, on Bedell Road, such as 6' pines trees or slates in the fence. The Site Plan needs to be updated and drainage need to satisfy the Engineering Department.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

SUSPEND THE RULES:

A motion was made by Councilman Digati, seconded by Councilman Madigan to Suspend the Rules to consider authorizing the Supervisor to sign a contract for the Whitehaven Road Sanitary Sewer Improvements and an emergency contract for the Whitehaven Road Water Storage Tank Emergency Repairs.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Authorize Supervisor to Sign Contract – Whitehaven Road Sanitary Sewer Improvements

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to authorize the Supervisor to sign Professional Services Agreement with GHD for design services for the Whitehaven Road Sanitary Sewer Improvements in the amount of \$26,300.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Emergency Contract – Whitehaven Road Water Storage Tank Emergency Repairs

A motion was made by Councilman Madigan, seconded by Councilman Digati to schedule a Town Board Workshop for Wednesday, October 7, 2020 at 9:30a.m. to discuss possible contract options for emergency repairs.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

PUBLIC COMMENTS:

This is an opportunity for residents to comment on any matter regarding Town government on any subject.

Speakers:

In Person – Calvin VanderMey
Via ZOOM – Maureen Phillips

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Town of Grand Island – Regular Meeting #18

FROM THE BOARD:

- Town Board/Advisory Board – Public will be allowed to come to meetings with COVID-19 restrictions
- Halloween Hours – Saturday, October 31, 2020 – 4:00p.m.-8:00p.m.
- Communication
- Town Board Voting
- Major Projects
- Grant request for Splash Pad in Duplex area

MEMORIAL ADJOURNMENT:

A motion was made by Councilman Digati, seconded by Councilman Madigan to adjourn the meeting at 9:55p.m.

APPROVED	Ayes	5	Madigan, Baney, Marston, Digati, Whitney
	Noes	0	

A moment of silence was observed in memory of the following:

Michael Dinsmore	Barbara Nowakowski
Judy Link	

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

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Town of Grand Island - Workshop Meeting #39

A workshop* meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Road, Grand Island, NY at 9:30a.m. on the 7th of October 2020.

Present: John C. Whitney Supervisor
Michael H. Madigan Councilman
Jennifer L. Baney Councilwoman
Peter Marston, Jr. Councilman
Thomas A. Digati Councilman
Patricia A. Frentzel Town Clerk

Via ZOOM: Peter C. Godfrey Town Attorney

Also Present: Cody Clarke Sr. Water Plant Operator

*The Workshop Meeting was conducted in the Boardroom, via ZOOM and streamed live on the Town's website – www.grandislandny.us

Supervisor John C. Whitney called the meeting to order at 9:32a.m.

NEW ITEMS:

Emergency Contract – Whitehaven Road Water Storage Tank Emergency Repairs

A motion was made by Councilman Digati, seconded by Councilwoman Baney to adopt the following resolution of the Town of Grand Island declaring the necessity for an emergency project and declaring such project to be a Type II action under SEQRA:

WHEREAS, the Town Board of the Town of Grand Island ("Town") has determined that an emergency situation exists at the Whitehaven Road Water Storage Tank, located within the Town (collectively, the "Water Tank") as a result of unanticipated surface degradation, which if not promptly repaired, will significantly adversely impact the Water Tank and the life, health, safety or property of residents of the Town and the general public who rely upon the Water Tank; and

WHEREAS, the Town's Engineer recommends that the Town pursue an emergency project with to facilitate the repair of the Water Tank, as described more fully in the annexed project quote annexed as Attachment A (the "Project"), to protect the health, safety and welfare of Town residents and other members of the public who rely upon the Water Tank; and the Town has received a quote from Procure Industrial, Inc.;

WHEREAS, the Town Board is the appropriate agency to be the lead agency to undertake Project review under the State Environmental Quality Review Act ("SEQRA") and Section 617.5 of the SEQRA Regulations (6 NYCRR Part 617) provides that certain activities are Type II actions which are not subject to review under SEQRA and that such activities include "emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment," "maintenance or repair involving no substantial

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Town of Grand Island - Workshop Meeting #39

changes in an existing structure or facility;" and "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...unless such action meets or exceeds any [Type I] thresholds in section 617.4"; and

WHEREAS, the proposed Project constitutes such emergency actions and/or in-kind same-site replacement, rehabilitation or reconstruction activities; and/or emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources;

NOW THEREFORE, BE IT RESOLVED that the Project is a Type II action, which is not subject to review under SEQRA, and the Project will not result in a significant adverse impact on the environment; and be it further

RESOLVED, that the Town Board finds that the situation described above: (i) constitutes an emergency pursuant to §103(4) of the New York General Municipal Law; and (2) requires immediate action to restore and preserve the physical integrity of the Water Tank, and to protect the health and safety of the Town residents and other members of the public; and (3) determines and declares that the expenditure of funds for the purpose of the Project constitutes an ordinary contingent expense of the Town, on the basis that such action is immediately necessary for the protection and/or preservation of life, health, and property; and be in further

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement to engage the services of Procore Industrial, Inc., in an amount not to exceed \$750,000, to immediately proceed with the Project on an emergency basis, on such terms specified in the Proposal, subject to and in accordance with all applicable laws, rules and regulations, and upon such other terms determined necessary and appropriate by the attorneys for the Town and the Town Engineer; and be it further

RESOLVED, that this resolution shall be effective immediately.
APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

General Discussion:

Illegal Hunting on Grand Island – Town to review the map of all Town owned land and look into posting "No Hunting" signs and/or possibly enacting a Local Law to restrict hunting on all Town property, including Parks, which is already restricted.

Relocation of Fire Hydrant – 1651 Bronson – Town Board is not in favor of relocation.

BayWa R.E., 2356 Whitehaven Road – Solar Array Project – Site Plan Approval

A. Planning Board Correspondence

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the recommendation of the Planning Board and approve the Site Plan for a Solar Project for BayWa R.E., 2356 Whitehaven Road, with the condition that the Jurisdictional Determination be in place before the building permit is issued and that the temporary access road be extinguished if Solar Park expires.

APPROVED Ayes 3 Marston, Digati, Whitney
 Noes 2 Madigan, Baney

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Town of Grand Island - Workshop Meeting #39

Town Hall Shut Down for HVAC

A motion was made by Councilman Digati, seconded by Councilman Madigan to send all Town employees home at 2:00p.m. on Wednesday, November 25, 2020 with (2) two extra holiday pay to shut down the Town Hall building to allow the asbestos abatement to begin. The work should be completed by Sunday evening and the air quality testing report finished in time to open Town Hall on Monday, November 30, 2020. Two (2) hours lieu time will be given to all essential employees (Plant Operators, maintenance, Highway employees, etc.)

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

EXECUTIVE SESSION:

A motion was made by Councilman Digati, seconded by Councilman Madigan to enter into Executive Session at 9:59a.m. for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) employed by the Town.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

ADJOURN:

A motion was made by Councilman Digati, seconded by Councilwoman Baney to return to the Regular Workshop and adjourn at 10:00a.m.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

****TOWN OF GRAND ISLAND**
ZONING BOARD OF APPEALS**

**MINUTES
September 3, 2020**

MEMBERS PRESENT: Chairman Marion Fabiano, Bob Mesmer, John Braddell, Betty Harris, and Tim Phillips

MEMBERS ABSENT: None

OTHERS PRESENT: Chris Cullen, Code Enforcement Officer
Rhonda Tollner, Zoning Clerk
Jennifer Baney, tech support

*Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Zoning Board of Appeals of Grand Island will be held electronically via the Town's website link/You Tube Channel instead of a public meeting open for the public to attend in person. Members of the public may view the Town Board's meetings by connecting to the You Tube Channel via the Town's website: www.grandislandny.us. or be heard by connecting via the zoom link provided on the Town's website.

Chairperson, Marion Fabiano opened the meeting at 7:00 p.m. and introduced the members of the Zoning Board of Appeals and explained the process.

NEW BUSINESS:

1) 1220 Staley Road – Nick Bull

The property is zoned R1A. The Applicant is proposing to construct a 40 ft. x 48 ft. (1920sq. ft.) x 24 ft. high storage building. The Applicant has an existing 400 sq. ft. attached garage and with the proposed garage there would be a total of 2319 sq. ft. of garage space. Section 407-23A allows up to 1200 sf. of garage space; making a 1120 sq. ft. area variance necessary. Section 407-142D states: in residential and business districts, the height of accessory buildings and uses shall not exceed 18 feet; making it necessary for 6 ft. height variance.

Appearing via zoom was Nick Bull and Nicole. Nicole stated that they sent a letter to the ZBA which explained their need for the storage space. The letter

was received and distributed to the Board. Board member Braddell asked why the height variance was needed, Mr. Bull replied for more cold storage. They have 2 children, 2 dogs, half a garage and workout equipment and toys that fill the basement. This is much needed space.

A **motion** was made by Mesmer/Harris to close the public hearing. All in favor.

A **motion** was made by Phillips / Mesmer to GRANT the request for a 1120 sq. ft. area variance for the construction of a 40' x 48' detached garage at 1220 Staley Road.

A **motion** was made by Mesmer / Braddell to GRANT a 6 ft. height variance for the construction of a 40' x 48' x 24' detached garage at 1220 Staley Road. NO COMMERCIAL USE.

Roll Call:

Ayes: Fabiano, Harris, Braddell, Mesmer, Phillips

Noes: None

Carried

Rationale:

1. This action was taken because the Board recognizes the need for storage
2. This action was taken because the requested variance is consistent with other structures in the area

2) 76 Carol Lane – Mary Gowanny

This property is zoned R1E. the applicant is proposing to construct an addition to the front of their attached garage as well as a covered porch. The garage addition will come 6 ft. into the required front yard setback and the porch will be 8 ft. into the setback. Schedule I sets the front yard setback in a R1E at 30 ft. from the property line making an 8 ft. front yard setback from Carol Lane necessary.

There were no representatives or speakers for this application. The Board reviewed the request. This was a request that was consistent with the neighborhood.

A **motion** was made by Mesmer / Harris to close the public hearing. All in favor.

A **motion** was made by Phillips / Harris to GRANT the request for an 8 ft. front yard setback variance for the construction of a garage addition and covered front porch at 76 Carol Lane.

Roll Call:

Ayes: Braddell, Mesmer, Phillips, Harris, Fabiano

Noes: None

Carried

Rationale:

1. This action was taken because the requested variance was not substantial
2. This action was taken because the requested variance will not create a detriment to nearby properties

3) 2820 Love Road – Katier Hoelscher

This property is zoned R-1A. The applicant is proposing to construct a detached 30' x 52' (1560 sq. ft.) garage. The applicant also has a 484 sq. ft. attached garage making a total sq. ft. of 2044 sq. ft. Section 407-23A of the Zoning Code sets the maximum allowable garage space at 1200 sq. ft. making it necessary for a 844 sq. ft. area variance for this garage.

Appearing via phone was Katie Hoelscher. She explained that they just purchased the property with the intent that they would be able to store their two large boats with trailers and lawn tractors and four wheelers. The only utility would be electric and there would be no commercial uses.

A **motion** was made by Mesmer / Braddell to close the public hearing. All in favor.

A **motion** was made by Braddell / Mesmer to GRANT the request for a 844 sq. ft area variance for the construction of a 30' x 52' detached garage at 2820 Love Road. NO COMMERCIAL USE

Roll Call:

Ayes: Mesmer, Phillips, Harris, Fabiano, Braddell

Noes: None

Carried

Rationale:

1. This action was taken because the Board recognizes the need for storage
2. This action was taken because it is a reasonable and compatible use of the residential property

4) 338 Orchard Road – Donnalee Livingston, Raymond Bidell

This property is zoned R-1E . The Applicant is requesting to construct a 24' x 40' detached garage. The applicant currently has 420 sq. ft. of garage space making a total of 1,380 sq. ft. of garage space. Town Code § 407-23(A) allows 1,200 sq. ft. of garage space making 180 sq. ft. area variance necessary.

Appearing via zoom was Ray Bidell. Mr. Bidell explained that he would like the building for storing his pontoon boat and trailer and some yard equipment. Currently they have just a single car garage. Board member Braddell asked if anyone had looked into the yard coverage allowed in that area. Chairman Fabiano said yes that was looked at and ok.

A **motion** was made by Mesmer / Braddell to close the public hearing. All in favor.

A **motion** was made by Braddell / Mesmer to GRANT the request for a 180 sq. ft. area variance for the construction of a 24' x 40' detached garage making a total garage space of 1380 sq. ft. at 338 Orchard Road.

Roll Call:

Ayes: Mesmer, Phillips, Harris, Fabiano, Braddell

Noes: None

Carried

Rationale:

1. This action was taken because the Board recognizes the need for storage
2. This action was taken because it is a reasonable and compatible use for storage needs

CORRESPONDANCE

A **motion** was made by Braddell / Mesmer to suspend the rules and add 5183 East River Road to the Agenda.

Roll Call:

Ayes: Braddell, Mesmer, Harris, Fabiano, Phillips

Noes: None

Carried

A **motion** was made by Mesmer / Braddell to GRANT a six month extension to expire January 9, 2021, for the previously granted variance for a 10 ft. front yard setback variance from the center of ROW of East River Road and a 6.5 ft. side yard setback variance on the East side for the construction of a new single family dwelling at 5183 East River Road.

Roll Call:

Ayes: Fabiano, Harris, Phillips, Mesmer, Braddell

Noes: None

Carried

OLD BUSINESS:

- 1) 103 Driftwood Drive – Heidi Asbach

This property is zoned R1D. The Applicant is requesting to install a 6ft. tall fence on a corner lot. Zoning code states in section 407-19A(2) all structures shall be no closer to the right of way than the minimum front yard setback of the adjacent lot. The setback for Driftwood court is 35ft. The proposed location of the fence is 0ft. requiring a 35' variance. Additionally, the Applicant is requesting a fence height of 6ft. The zoning code 407-155D sets the maximum height for an accessory structure in the front yard at 3 ft. thus requiring a 3ft. height variance.

Appearing via phone was Mr. and Mrs. Asbach. They explained that the variance they are requesting is only for the back lot line not the side that runs along Driftwood Ct. The Chairman replied that they were aware of that fact but the Board rarely, almost never eliminates setbacks for fences on corner lots and that they are willing to mitigate a compromise but would not grant the fence to reach all the way to the side property line. The Asbach's intent is to get the fence as close to the existing side fence as possible but that fence is not on their property. Chairman Fabiano suggested that the fence go as far as 14 ft. from the property line. This would require a 21 ft. front yard setback variance for the fence. The Board members agreed to those distances. There was no reply from Mr. and Mrs. Asbach.

A **motion** was made by Mesmer / Braddell to close the public hearing. All in favor.

A **motion** was made by Mesmer/ Braddell to GRANT the request for a 21 ft. front yard setback variance from Driftwood Ct. for the location of a fence on a corner lot at 103 Driftwood Drive.

Roll Call:

Ayes: Harris, Braddell, Mesmer, Fabiano, Phillips

Noes: None

Carried

A motion was made by Mesmer /Harris to GRANT the request for a 3 ft. height variance for a fence location in the front yard setback at 103 Driftwood Drive.

Rationale:

1. This action was taken because the Board recognizes the difficulties with corner lots
2. This action was taken there is still good visibility from the neighboring lot

APPROVE MINUTES:

A **motion** was made by Harris / Braddell to Approve the corrected August 6, 2020 ZBA Minutes as written. The meeting was conducted via Zoom and may be viewed on YouTube.

Roll Call:

Ayes: Fabiano, Mesmer, Braddell, Phillips, Harris

Noes: None

Carried

OTHER MINUTES RECEIVED:

Board of Architectural Review Minutes – July 2, 2020

Planning Board Agenda – August 10, 2020

Planning Board Minutes – July 13, 2020

Town Board Agenda – Regular Meeting # 14, Aug. 3, 2020, Regular Meeting #15, August 17, 2020

Town Board Minutes – Regular Meeting # 13, July 20, 2020

A motion was made by Braddell / Mesmer to adjourn the meeting at 7:39 p.m.
Minutes prepared by Rhonda Tollner, Zoning Clerk.

PLANNING BOARD MEETING
VIA ZOOM
MINUTES: SEPTEMBER 14, 2020

MEMBERS PRESENT: Bruno, Duchscherer, Greco, Lare, Starzynski, Stessing, Worrall
Alternate members: Bowman, Pagoada

MEMBERS ABSENT: None

OTHERS PRESENT: Councilman Marston, Town Engineer Bob Westfall, Code Enforcement Officer Kasey Morgan and Those Listed Herein.

Chairman Bruno opened the meeting at 7:00 P.M. and welcomed Jeremy Pagoada to the Planning Board, as an alternate member.

MINUTES: Planning Board Meeting – August 10, 2020

It was moved by Duchscherer – Worrall to **APPROVE** the minutes as submitted.

Roll Call: Ayes – Duchscherer, Worrall, Bruno, Greco, Lare, Starzynski, Stessing

Noes – None

Carried

VOUCHER: Arlene Ehde, Recording Secretary - \$234.41

It was moved by Stessing – Worrall to **APPROVE** the voucher for payment.

Roll Call: Ayes – Stessing, Worrall, Bruno, Duchscherer, Greco, Lare, Starzynski

Noes – None

Carried

REFERRALS

1. FROM: Town Board

RE: **DRAFT – CREATION OF AGRICULTURAL ADVISORY BOARD**

The draft for the Creation of an Agricultural Advisory Board was discussed.

The Board inquired about the background for the establishment of the Advisory Board. The format is similar to the Tree Ordinance, such as the formation of the Board.

Mr. Starzynski's comments:

Mission Statement.

Third bullet point – mediation and resolving conflicts should lie within the jurisdiction and the responsibility of the Town Board. Appointed officials in these cases would likely fall within the realm of Code Enforcement.

Formation of Advisory Board; Membership; Terms of Office.

A. (2) Representative from the Erie County Department of Environment would be inappropriate unless that person is a resident of Grand Island. No other Board has someone from outside the Town.

Town Board member as an ex officio member. Town Board members typically act as a liaison and are a non-voting member of a Board. Cannot see why a Planning Board member should sit on this Board. Anything on land use, zoning, planning will come before the Planning Board at one time or another. If the Agricultural Board has suggestions regarding zoning or planning, it would be presented to the Town Board and they would refer it back to the Planning Board.

Powers and Duties.

E. Do not see the need for E.

H. Resolving conflicts, mediation would fall within the realm of the Town Board, Town Attorney and Code Enforcement and elected officials or employees of the Town.

It was moved by Greco – Stessing to recommend that the draft for the Creation of an Agricultural Advisory Board **NOT** be approved for all the reasons listed above.

Roll Call: Ayes – Greco, Stessing, Bruno, Duchscherer, Lare, Starzynski, Worrall
Noes – None
Carried

There was further discussion. Mr. Duchscherer commented that he is not sure anyone on this Board has an agricultural background. He does not feel comfortable passing a resolution that precludes some of the agricultural community having input in what is going on in the Town. We do not know the agricultural issues that may come before our Board. Rather than defeating this, send it back to the Town Board with our comments.

Mr. Starzynski stated that this committee formulated a Resource Guide online over the course of several months with the help of an outside consultant. The operation of the Board and what they hope to accomplish is contained in that document. It has about 120 pages. In terms of understanding what this Board is about, we need a better picture as to what the document is saying, the text and content in it, is it appropriate and is it doable. A lot of the Resource Guide is open to question and more discussion by the Town Board and this Board. A lot is backed by State Law, then the County and then Town Law.

J. on Page 3 – Mr. Worrall commented that it should be better defined. Meetings should be defined as monthly as a means to make sure there is a schedule so they don't miss providing input back to the Town Board or Planning Board on a timely basis.

It was moved by Duchscherer – Starzynski to ask, through Councilman Marston, for the Town to make a presentation to this Board, with the appropriate agricultural community represented, so we can hear directly from them at one of our regularly scheduled meeting.

Roll Call: Ayes – Duchscherer, Starzynski, Bruno, Greco, Lare, Stessing, Worrall
Noes – None
Carried

2. FROM: Code Enforcement Officer
RE: GRAND ISLAND APARTMENTS – 1725 GRAND ISLAND BLVD.
SITE PLAN APPROVAL

Richard Ries appeared via ZOOM requesting Site Plan Approval for property at 1725 Grand Island Blvd. The property is in the South Business District. This is an existing concrete block 28 unit apartment building.

This Site Plan Approval is for the parking lot and exterior improvements only. Exterior improvements are just painting. Mr. Ries stated that they are proposing pavement repairs, remove and replacing sidewalks, adding striping for handicapped parking and a new dumpster. There will be sidewalks around the entire building extending out 9' from the building as sidewalks and patio space for the apartments with divider wall in between for privacy.

There is a center corridor going up the middle of the building on the first floor for access to the apartments and access to the outside as well.

Mr. Greco commented that parking is shown in front of the building and in the front setback. Parking should be on the side or in the back. Mr. Ries stated that it is existing parking that goes out 8-10' past the property line. They cut it back and will repave and keep the parking within reason in the front of the building to try to adhere to the Code. Ten visitor parking spaces are in the setback. Tenants will be parking near their unit. They would like to keep the 2 handicapped parking space in the front of the building. Three handicapped spaces are required, two spaces are provided. The third space is at the northwest corner where the handicapped accessible unit will be located. He was asked if he could move the parking to the north side of the building. Mr. Bruno commented that the visitor parking was not existing. The area was paved but not striped. At one time it was used for auto sales.

There is a 115' setback from Grand Island Blvd. However, it can be reduced by the Town Board.

They have applied for a Special Use Permit for the density. Twelve units per acre are allowed with a Special Use Permit. They have 2.51 acres, allowing 30 units. They are requesting 29 units. Twenty-eight are shown on the paperwork. Mr. Ries stated that they have added an additional unit on the second floor and are renovating the rear portion of the building to add the apartment.

The dumpster is proposed in the setback. Mr. Ries was asked if it could be moved to the north side, to the rear. It can be relocated.

Mr. Westfall commented that this site doesn't have much of an established site plan. There was one for auto sales and display, but it was never formalized. This building is pre-dating anything on file with the Town. There is significant pavement removal and reconfiguration of the area. There is no topo. This is not a whole, complete site plan application. It is not an engineered drawing. Where is the drainage going? More details are needed on the site plan

and on drainage patterns. He is concerned with sheet flowing on an icy parking lot in the Winter. If parking spaces are moved to the north side, there will be more paving.

Mr. Ries stated that their main submission is repairing the asphalt. Drainage goes out to the side and to a catch basin in front. Removing pavement and turning it into a grass area will help with the drainage. It has been sheet flowing to the same spot for some time. There have been no issues with flooding.

Mr. Bruno stated that there are the following issues:

- 115' setback from Grand Island Blvd.
- Remove front parking from the 115' setback.
- Density issues.
- 3 handicapped spaces are required.
- Move the dumpster.
- A topo for Engineering with drainage patterns shown.
- Landscaping plan for the front of the site and the front of the building. This is in the Design and Performance Standards.

Mr. Duchscherer commented that the applicant should look at the Site Plan Application Supplemental Check List to submit a better package at a future time. Mr. Ries stated that he spoke with the Building Department and addressed what was circled on the check list.

Mr. Stessing noted, when there is a substantial change, the site plan needs to be brought up to Code even though it wasn't brought up to Code previously.

Adam, who works with Mr. Ries, stated that they will make the property better, but there is a project budget and timeline. We can improve the property or leave it the way it is. Their goal is to make a better looking, more aesthetic parking lot. It will be good for Grand Island Blvd. They would like to continue with the work and get to a finished plan.

Mr. Westfall stated that the applicant has contact information. Please reach out for discussion. We are thrilled with the improvements that have been made. He wants this project to be successful for everyone. Building and Engineering will work with the applicant.

It was moved by Bruno – Duchscherer to **TABLE** for the next meeting for a complete Site Plan.

Roll Call: Ayes – Bruno, Duchscherer, Greco, Lare, Starzynski, Stessing, Worrall
Noes – None
Carried

Mr. Starzynski commented that he drove through the parking lot. There is a lot going on in the interior of the property. There are probably a couple of months left before opening up

9/14/20

for rental. Hopefully, they can get back to this Board within the next 30 days. There is about 2 months left in the construction season. A lot can be accomplished within that time frame and still have a facility to be proud of and look good on Grand Island Blvd. and open for rental.

3. FROM: Code Enforcement Officer

RE: CERTIFIED AUTOBROKERS – 1693 GRAND ISLAND BLVD.
SITE PLAN APPROVAL/MASTER PLAN

Jonathan Barniak, Carmina Wood Morris, DPC, appeared via ZOOM requesting Site Plan Approval for an expansion of Certified Autobrokers at 1693 Grand Island Blvd. Stephanie Henry, Silvestri Architects, also appeared.

The property has 2.3 acres and is located in the South Business District. It is occupied by two buildings. The building to the north will be demolished. The existing building will be incorporated into the expansion.

There are 51 proposed parking spaces, car storage areas and the reuse of an existing driveway opening. There are multiple onsite utilities improvements including a storm water management facility at the rear of the site designed for DEC criteria. Site plan includes lighting and landscaping in compliance with Code.

It was noted that there is a violation of routinely parking closer to the road. The setback of 115' can be allowed, without a variance, if requested and granted by the Town Board.

A variance has been granted to allow parking in front of the building and a Special Use Permit for automobile sales. There are two handicapped spaces in front of the building.

There was a discussion on parking spaces. Two spaces per employee, is required by Code, times 35 employees equal 70 spaces plus 4 spaces for each bay would be another 32 spaces. The Board questioned 2 spaces per employee. If 35 spaces for employees is used and 32 for the service bays, that would equal 67 spaces. There are also 4 handicapped spaces. Mr. Barniak stated that the total employees would be approximately 10-15, not 35. Drawing C-100 shows 35 employees. The number of employees needs to be verified. Parking calculations need to be revised.

There is existing signage on the southeast corner.

It was moved by Greco to TABLE until the parking issue is satisfied.
No second, motion is lost.

It was moved by Bruno – Greco to **APPROVE** the Site Plan contingent on applicant working with the Building Department on the parking issue. There is ample area for the parking. Open violation should be taken care of and the following:

Mr. Westfall's comments:

- There is a light pole on the southwest corner. There is a sewer line in that location. Find the sewer line, evaluate the light pole.
- Storm water looks good.
- Discussion on the details of the oil water separator is needed. Evaluation of what is in now. They are adding more bays and potentially more floor drains in the buildings tying into that.

Roll Call: Ayes – Bruno, Greco, Duchscherer, Lare, Starzynski, Stessing, Worrall
Noes – None
Carried

4. FROM: Code Enforcement Officer
RE: HUGILL STORAGE, INC. – 2612 BEDELL RD
SITE PLAN APPROVAL/MASTER PLAN

Michael Lydle, P.E. appeared via ZOOM, representing Hugill Storage, requesting Site Plan Approval/Master Plan for the construction of two additional storage buildings at 2612 Bedell Rd.

They are proposing two 30'x150' metal buildings in Phase IIa and Phase IIb, to be constructed behind the existing buildings. The existing buildings are 30'x150' and 30'x80'. This is cold storage with no utilities except for lighting on the outside.

Drainage has been directed away from the road. A ditch has been graded so it doesn't add water flow to the roadside ditch. There was a shared drainage swale to the east. They created a swale so drainage doesn't go to the joint ditch. Nothing will go to the neighbors. All drainage will go to the south from the two new buildings. Mr. Westfall commented that the impervious surface is doubling. He would like justification as to why they are not getting into detention or pond work.

Parking areas are labelled BIT.SURFACE and the drawing also shows RECLAIMED ASPHALT. The parking areas should be paved, the storage areas can be milled surfaces. Mr. Lydle stated that the pavers are all booked this year. It will be paved next year. Outdoor storage will have boats, RV's, etc.

There are no designated parking spaces. Seventeen spaces would be required. They are shown as outdoor storage. Mr. Lydle stated that customers generally pull up to the storage unit, unload and leave. A parking space would not be required. The first 3 to the west could be employee parking and the rest outdoor storage. However, Mr. Lydle stated that there are no employees and no office space on site. If a repair person is needed, they would pull along side the unit, do the repair and leave.

A 6' chain link fence was recently erected on the east side and is not shown on the drawing. There is an existing fence on the west side. Fence on the east goes back 500', fence on the west 3,000'. Outdoor storage is required to be screened by a fence or landscaping. Screening was discussed as you can see through the chain link fencing. There is vegetation along the west side fence. It is natural growth, trees and bushes. Fence is on the property line, vegetation between the fence and the outdoor storage spaces. Slats would be needed on the east side.

Mr. Greco commented that there is outdoor storage in the front facing Bedell Rd. without screening.

It was moved by Stessing -- Starzynski to recommend that Site Plan Approval be **GRANTED** providing they include a screened fence or landscaping along the north side of the property, on Bedell Rd., such as 6' pine trees or slats in the fence. Site Plan needs to be updated and drainage needs to satisfy Mr. Westfall.

Roll Call: Ayes -- Stessing, Starzynski, Duchscherer, Greco, Lare, Worrall
Noes -- Bruno
Carried

COMMUNICATIONS -- OTHER OFFICIALS

1. FROM: Town Board
RE: MINUTES -- July 20, August 3, 2020
Received and filed.
2. FROM: Board of Architectural Review
RE: MINUTES -- July 21, 2020
Received and filed.
3. FROM: Zoning Board of Appeals
RE: MINUTES -- August 6, 2020
Received and filed.
4. FROM: Traffic Safety Advisory Board
RE: THERMO FISHER SCIENTIFIC -- 3175 STALEY RD.
Received and filed.

COMMUNICATIONS -- OTHERS

1. FROM: Dr. Melissa Rayhill & Mr. William Raskopf
RE: KAREN PANZARELLA -- 2894 EAST RIVER RD.
SPECIAL USE PERMIT -- BED & BREAKFAST
Received and filed.

UNFINISHED BUSINESS

1. FROM: Town Board

**RE: KAREN PANZARELLA – 2894 EAST RIVER RD.
SPECIAL USE PERMIT APPLICATION – BED & BREAKFAST**

Ms. Panzarella has withdrawn her application for a Special Use Permit.

It was moved by Bruno – Starzynski to **REMOVE** from the agenda.

Roll Call: Ayes – Bruno, Starzynski, Duchscherer, Greco, Lare, Stessing, Worrall
Noes – None
Carried

2. FROM: Code Enforcement Officer

**RE: THERMO FISHER SCIENTIFIC – 3175 STALEY RD.
SITE PLAN APPROVAL – 2 PART EXPANSION**

Kristin L. Savard, PE, owner/President, Advanced Design Group appeared, via ZOOM, along with Mark Sadkowski and Sean Johnson from Thermo Fisher Scientific regarding the Site Plan for a two part expansion at 3175 Staley Rd.

At the last meeting, the Board asked for information on hazardous waste, traffic, lighting and noise.

Hazardous Waste Summary. Mr. Johnson explained the Hazardous Waste Summary that was submitted for review. They generate 200 pallets of finished goods daily. Each pallet is 2,000-3,500 lbs. They generate 3-4 tons per month or the equivalent of two pallets of hazardous material monthly. The waste is not housed or disposed of on Grand Island. Clean Harbors picks up the waste and disposes of the material.

Traffic Study. Ms. Savard stated that the counts were done in a number of locations, the intersections, entrance of the facility with construction activity and when it was shut down. They feel the road can handle the traffic. With the change in staffing and moving employees to the Whitehaven Rd. location, they are not expecting any change. There are no major issues. There is traffic on Staley Rd. that is not a part of Thermo Fisher. Traffic is not changing in any significant way from an engineering standpoint. The 165 employees moved to the Whitehaven Rd. location is a permanent move. They did counts before and after the relocation, before Covid and before school.

A letter was received from the Traffic Safety Advisory Board. They are going to review the report at their next meeting on September 15th. Mr. Marston will see that Ms. Savard has the

information for the meeting.

Noise Study. They are below the allowable noise levels in an industrial zone.

Lighting Plan was also submitted.

It was moved by Greco – Duchscherer to recommend **APPROVAL** of the Site Plan for the Liquid Core NE and AGT W additions.

Roll Call: Ayes – Greco, Duchscherer, Bruno, Lare, Starzynski, Stessing, Worrall
Noes – None
Carried

3. FROM: Code Enforcement Officer

RE: ADRIAN'S CUSTARD & BEEF – 2352 GRAND ISLAND BLVD.
SITE PLAN REVISION

It was moved by Bruno – Starzynski to **REMOVE** from the agenda.

Roll Call: Ayes – Bruno, Starzynski, Duchscherer, Greco, Lare, Stessing, Worrall
Noes – None
Carried

4. FROM: Code Enforcement Officer

RE: OUR EVERY DAY K9, LLC/CHRISTOPHER FIELS – 1791 GRAND ISLAND BLVD.
SITE PLAN APPROVAL

It was moved by Bruno – Starzynski to **REMOVE** from the agenda.

Roll Call: Ayes – Bruno, Starzynski, Duchscherer, Greco, Lare, Stessing, Worrall
Noes – None
Carried

5. FROM: NYS Parks, Recreation & Historic Preservation

RE: LWRP REVIEW REQUEST – BUCKHORN SHORELINE HABITAT ENHANCEMENT

LRPC is working on this. Construction is starting in the Fall.

It was moved by Bruno – Starzynski to **REMOVE** from the agenda.

Roll Call: Ayes – Bruno, Starzynski, Duchscherer, Greco, Lare, Stessing, Worrall
Noes – None
Carried

It was moved by Bruno – Starzynski to **ADJOURN** at 8:50 P.M.

Roll Call: Ayes – Bruno, Starzynski, Duchscherer, Greco, Lare, Stessing, Worrall
Noes – None
Carried

CONTINUING EDUCATION

After the meeting, the Board reviewed the following as part of their continuing education:

1. **LAND USE TRAINING PROGRAM – TUTORIAL VI, SPECIAL USE PERMITS & PERMIT CONDITIONS**
TUTORIAL VII, ENVIRONMENTAL REVIEW

Respectfully submitted,

Arlene Ehde
Recording Secretary



RECEIVED
2020 OCT 14 AM 9:07
TOWN OF
GRAND ISLAND N.Y.

The Town of Grand Island
Jennifer L. Baney
Councilwoman

Date: Wednesday, October 14, 2020

To: Town Board

From: Jennifer Baney
Councilman

The Town of Grand Island Traffic Safety Board has prepared a draft of a Complete Streets Policy. The completion and eventual implementation of a Complete Streets Policy is not only a practice adopted by many neighboring municipalities, but a required "Mid-Term" task according to our Comprehensive Plan, with the Traffic Safety Advisory Board serving as lead partner.

I will motion to refer the matter to The Planning Board, Highway Superintendent, Engineering Department, Building Department and The Long Range Planning Committee, for policy review and comment. Legal has completed an initial review.

Town of Grand Island NY Complete Streets Policy Oct 2020Synopsis

As the Town of Grand Island grows, the roadways must evolve in order to continue meeting the Town's community goals of safety, equity, public health, quality of life, access to jobs and economic development. Complete Streets are streets that are planned and designed to promote the safe, convenient access and mobility of all roadway users of all ages, abilities, and economic standing. This includes pedestrians, bicyclists, public transportation riders, and motorists. The Town of Grand Island seeks to implement a Complete Streets program designed to create an interconnected network of transportation facilities that will accommodate all modes of travel in a manner that is consistent with neighborhood context and supportive of community goals.

Residents and visitors who must walk, bike, or take transit on an incomplete street are subjected to unnecessarily dangerous conditions. However, adopting a Complete Streets policy does not mean that every street in every community must have sidewalks, bike lanes, or other safety or design features. There is no universal, prescriptive design. Instead, the appropriate design for a given location or community is driven by local context and demand. Today, the ways in which municipalities plan and invest in transportation contribute to common transportation-related issues such as congestion, lack of accessible and affordable transportation options, and sprawling, unsafe, and ecologically destructive designs. The implementation of a Complete Streets policy will remedy these concerns by ensuring that all streets and rights-of-way are designed to promote safe access and mobility for all users.

Safety education programs along with safely designed and built roadways are not enough to help drivers make responsible decisions. Enforcement is needed to further prompt them to follow the laws associated with the use of our transportation systems. Laws are put in place for a purpose. Those who follow traffic laws are less likely to cause or be a victim of a fatal traffic accident.

As a rural Island community that is only accessible via two bridges, the Town of Grand Island faces many unique transportation-related obstacles such as automobile-oriented roadways, lack of available transportation choices, and limited terrain, among others. By applying Complete Streets as a core guiding principle, a robust, multi-modal network with facilities for all users will be established incrementally over time. A sound Complete Streets program will provide the following benefits to the Town of Grand Island and its residents:

1. Improve the local economy and enhance the tax base - Transportation options increase access to shops, restaurants, and jobs and raise property values by creating more inviting communities.
2. Improve safety and mobility - Streets designed for multiple modes of transportation are safer for all users and increase mobility by allowing everyone, including children, the elderly, and residents with disabilities, to travel with the same level of safety and convenience.
3. Improve health - A Complete Streets philosophy promotes and optimizes paths and sidewalks that promote physical activity and decrease the number of cars on the road thereby improving air quality.
4. Lower transportation costs - Transportation options such as biking and walking allow families to spend less of their income on gasoline thereby increasing household savings and/or disposable income.
5. Ease congestion and increasing road capacity - Complete streets reduce short-distance car trips thereby increasing overall capacity to accommodate more travelers on the roads.
6. Decrease overall municipal budget - Complete streets can incorporate green infrastructure features that reduce storm water runoff, reduce associated long term maintenance costs along right of ways and increase safe sightlines. Complete streets can aid in safely and efficiently transporting school students which reduces related transportation costs.

Opportunities to apply the Town's Complete Streets program include, but are not limited to, transportation projects—including resurfacing, reconstruction and maintenance; utility projects that involve excavating a roadway; and development projects that require mitigation for impacts to vehicular traffic or pedestrians or bicyclists. Establishing a Complete Streets program will enable the Town of Grand Island to further achieve its status as a prominent location to live, work, and play. Complete Streets shall be weaved into all new infrastructure projects.

Complete Streets policies are being adopted in communities across the nation at all levels of government. The New York State Complete Streets Act (Chapter 398, Laws of New York) was signed on August 15, 2011, and requires state, county and local agencies to consider the convenience and mobility of all users when developing transportation projects that receive state and federal funding. At the Federal level, The Complete Streets Acts of 2019 has been introduced in both the House (H.R.3663) and the Senate (S.2077). The federal bill aims to promote safer and more accessible transportation routes across America and, if enacted into

law, would require states to set aside a portion of their federal highway funding to establish competitive programs to provide technical assistance and grants for the design and construction of complete streets.

The introduction of new transportation technologies and the explosion of new transportation demand data allow us to determine how people are getting to key destinations. Using actual and synthetic measures of travel activity, we can better understand how decades of roadway growth has influenced people's travel demands today, and test how other designs could lead to more efficient, equitable, and sustainable behavior. By adopting a Complete Streets policy, the Town of Grand Island will join the ranks of the other communities who are leading the development of transportation systems that are not only safe, efficient, and inclusive but are also more environmentally sustainable, promote economic development, and ultimately provide for a more fiscally and physically healthier Town.

Policy

This policy outlines the approach and steps the Town of Grand Island will pursue to achieve a network of Complete Streets. In addition to the policy directives, Town of Grand Island officials are directed to create a Complete Streets Implementation Plan in accordance with the principles described herein.

1. In addition to the customary accommodation of motorists and commercial traffic, facilities for pedestrians, bicyclists and transit riders will be established as core elements in the planning and design of all street construction, reconstruction and maintenance, including privately constructed roadways.

2. The Town of Grand Island will seek to attain the desired roadway character and performance that would achieve the community's goals for each corridor's land use context. Motor Vehicle Level of Service is one metric used to evaluate the performance of a particular roadway intersection or corridor for one group of users. To achieve the desired character and performance, additional quantitative and qualitative metrics including safety, comfort for all roadway users, and establishing neighborhood character conducive to economic development will factor into future roadway design decisions. The most appropriate context sensitive roadway design standards will be considered while recognizing the need for flexibility in balancing the needs of all users as well as adjacent land uses.

3. Town of Grand Island officials will create a Complete Streets Implementation Plan to guide the development of future roadway facilities for all modes of travel, with an emphasis on identifying roadway modifications and improvements needed to facilitate non-motorized travel. However, contextually appropriate bicycle and pedestrian accommodations will be

considered for all roadways whether the specific improvements are outlined in the Complete Streets Implementation Plan or not.

4. The Town of Grand Island will draw upon all appropriate sources of funding including but not limited to Town, County, State and Federal sources to implement the Complete Streets program.

5. Town departments will incorporate the corresponding elements of these Complete Streets principles into their work plans.

Procedure:

The appropriate Town of Grand Island officials will appoint a Complete Streets Planning Committee. The Committee will develop guidelines and an implementation plan for the Town of Grand Island's Complete Streets program for approval by Grand Island Town Board. The guidelines and the Complete Streets Implementation Plan will be developed collaboratively with all appropriate Town of Grand Island Departments, advisory boards, and committees, and will also include an extensive program of public involvement. All new processes, guidelines, designations, metrics, and specific facility recommendations will be outlined in the Plan. The Complete Streets program and implementation plan will include the following components:

1. Complete Streets Implementation Plan – The Complete Streets Planning Committee will work closely with the Long Range Planning Committee, as well as other appropriate departments and advisory boards to assess the current roadway and trail networks and develop recommendations that reflect a Complete Streets approach to the transportation system. The resulting plan will document existing conditions and barriers, establish a network of bicycle routes, identify appropriate facilities to ensure that walking and bicycling remain safe and comfortable choices, prioritize the identified improvements and connections to complete the network, and establish a Complete Streets checklist to be used in the planning, design, and construction phases of all roadway development, redevelopment and maintenance projects.

The Complete Streets Implementation Plan will define and apply a Complete Streets functional classification overlay for principal arterials, minor arterials, collectors and neighborhood collectors. The functional overlay will include such elements as the appropriate mix of facilities and design speeds to meet the given or desired land use character for each corridor.

2. Design Standards & Training - The appropriate Town of Grand Island officials, departments, and advisory boards will review current design standards, including any subdivision and land development regulations that apply to new roadway construction, to ensure that they reflect the most appropriate context-sensitive design guidelines to adhere to the Town's Complete Streets program. The design references to be reviewed and considered for endorsement

include but are not limited to publications from the American Association of State Highway and Transportation Officials (AASHTO), National Association of City Transportation Officials (NACTO), Institute of Transportation Engineers (ITE), Congress of New Urbanism (CNU), Federal Highway Administration (FHWA), and the New York State Department of Transportation (NYSDOT).

Town of Grand Island officials and all appropriate Departments will encourage and support staff professional development and training on Complete Streets design and implementation best practices through attending conferences, classes, seminars, and workshops.

3. Management & Coordination – Town of Grand Island officials will promote project coordination among Town of Grand Island departments and advisory boards with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources and achieve the goals of this Policy. The Complete Streets Planning Committee is directed to lead the Complete Streets program. The key stakeholders in designing and implementing the Complete Streets program and philosophy include but are not limited to the Town's Engineering, Highway, and Recreation Departments.

The Town of Grand Island will work with partner agencies and utilities that perform work within the public right-of-way to be sure that their efforts are in keeping with the Complete Streets policy. Town of Grand Island officials are directed to work with partner agencies and jurisdictions to ensure that multimodal connections can be made across jurisdictional boundaries.

The Complete Streets Planning Committee will be chaired by the Town of Grand Island Engineer and be comprised of not more than 7 voting members including, but not limited to: representatives of appropriate Town of Grand Island departments, representatives of Town of Grand Island advisory boards and committees, representatives from groups for those with disabilities, and residents.

The Complete Streets Implementation Plan will be developed collaboratively with the guidance of the Complete Streets Committee and an extensive program of public involvement. New processes, guidelines, designations, metrics, and specific facility recommendations will be outlined in the Plan. The Committee will also serve as the body to review and recommend approval of any variances from the Plan's provisions.

4. Funding – The Complete Streets Planning Committee, with assistance from all applicable Town of Grand Island departments and applicable boards, will identify all current and potential future sources of funding at the local, state, and federal levels for street improvements and recommend improvements to the project selection criteria to support Complete Streets projects.

5. Outreach – The Town of Grand Island will prepare outreach materials for key community stakeholders which explain the requirements and standards associated with the implementation of the Complete Streets policy. Materials to be developed include but are not limited to website content, maps and route information, public education covering newly implemented facilities, information sheets for developers and business owners, and other topical issues. Additionally, The Town of Grand Island will host forums that are open to the public, in order to continue to garner feedback from the citizenry about their transportation concerns and to provide information on the Town of Grand Island's transportation planning efforts.

6. Reporting and Evaluation - An annual report will be made to the Town of Grand Island Board by the Complete Streets committee showing progress made in implementing this policy. The report will include accomplishments from each participating department, indicators measuring the impact of the Complete Streets Program, current barriers to implementation, and the work plan for the following year.

The Complete Streets Implementation Plan will be updated every four fiscal years after adoption to document accomplishments and recalibrate priorities.



Town Board Agenda – October 19, 2020

October 15, 2020

TO: Town Board

From: Chuck Grunzweig, Chair *CHG*

Please be advised that the Traffic Safety Advisory Board has reviewed and discussed the August 21, 2020 Traffic and Pedestrian Analysis from Thermo Fisher Scientific.

We offer the following:

- 1) Page 2 – Figure 1: Location Map – This map is showing one location when there are clearing two other crossing points. Were these two included in the report?
- 2) Page 5 – Table 1: Hourly Vehicular and Pedestrian Volumes – You are showing a AM Peak 7:00am – 8:00am. Does this time coincide with shift change?
- 3) Page 5 – Table 1: Hourly Vehicular and Pedestrian Volumes – You are showing a PM Peak 2:00pm – 3:00pm. Does this time coincide with shift change?
- 4) We believe there are 3 shifts at this facility. Where are the counts from 3:00pm to 7:00am?
- 5) Page 7 – Figure 2: Stopping Sight Distance Requirements – Why are you using the 50mph design speed in speed of the posted 45mph?
- 6) We seen no mention of accidents in the analysis. Yet, on January 21, 2020, a Tuesday, at 23:17 (11:37pm) an accident accrued between a pedestrian and a motor vehicle. The driver of the vehicle stated, "He didn't see the Female crossing". We are aware of the flashing beacons that are very bright even on the lowest setting. Therefore, we recommend Dark Sky lighting be installed at all three locations.
- 7) This study dealt with peak hour traffic, yet the concerns expressed by TSAB have been primarily regarding off peak (dark) hours and visibility of pedestrians. The study does not address that concern.

OS(C)Eric/G.I.TSAB/Thermo Fisher analysis

RECEIVED
2020 OCT 15 AM 10:14
TOWN OF GRAND ISLAND, NY

Justice Court



RECEIVED

2020 OCT 15 AM 8:15

The Town of Grand Island

Town Justices:
MARK J. FRENTZEL
MARK S. NEMETH

TOWN CLERK
2255 BASELINE ROAD
GRAND ISLAND, NEW YORK 14072
(716) 773-9600 EXT. 650
FAX: (716) 775-3527

October 15, 2020

To: John Whitney & Town Board

Re: Part-time new hire – Court

Due to a recent resignation, we are requesting the Town Board hire Kelly Behrens as a part-time Court Clerk effective immediately, Grade 4, Step A, \$16.20 per hour, subject to the completion of the necessary pre-employment paperwork.

Respectfully submitted,

Mark J. Frentzel
Town Justice

Mark S. Nemeth
Town Justice

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal Engineer



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600, Ext. 635 Office
(716) 773-9618 Fax
E-mail: engineering@grand-island.ny.us

Town Board Agenda: October 19, 2020

October 15, 2020

To: Town Board

From: Robert Westfall, P.E.
Town Engineer

Re: NYSDOT Grand Island Blvd. Accessibility Project
PIN 5762.27 Comptrollers Contract # D035733
Amended Supplemental Agreement (SA#3) Authorization

Honorable Town Board:

Attached, please find a copy of the Resolution authorizing the agreement including Supplemental Agreement No. 3 with the New York State Department of Transportation for the Grand Island Blvd Accessibility Project that includes the installation of sidewalks on Grand Island Blvd from Webb Road to Fantasy Island.

Amended Supplemental Agreement #3 (SA#3) authorizes additional Federal Funding for the project bringing the total Federal share to \$1,260,000. The Local share of \$584,700 includes the Town's share of the Grand Island Blvd sidewalk, Erie County's share for the Whitehaven Road sidewalk and the Town's share of the conduit installation.

We are hereby requesting the Town Supervisor be authorized to sign the amended supplemental agreement (SA#3) with the New York State Department of Transportation for the above referenced project.

lmd

RECEIVED
2020 OCT 15 AM 9:26
GRAND ISLAND, NY

Authorizing the implementation, and funding in the first instance 100% of the Federal-Aid eligible costs, of a Transportation Federal-Aid project, to fully fund the local share of Federal-Aid eligible and ineligible projects costs, and appropriating funds therefore

WHEREAS, a Project to install ADA compliant sidewalks on Route 324 Grand Island Blvd from Webb Road to Martin's Fantasy Island, known as the Town of Grand Island Blvd Sidewalk Accessibility Project, PIN 5762.27, (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds an 20% Non-Federal funds; and

WHEREAS, the Town of Grand Island desires to advance the Project by making a commitment of 100% of the Non-Federal share of the Federal Aid eligible costs and any required Local costs of the Design, Construction & Construction Inspection phase of the project, PIN 5762.27.

NOW, THEREFORE, the Town Board of the Town of Grand Island, duly convened does hereby

RESOLVE, that the Town Board of the Town of Grand Island hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board of the Town of Grand Island hereby authorizes the Town of Grand Island to pay in the first instance 100% of the Federal and Non-Federal (Local) shares of the cost of the Design, Construction & Construction Inspection phase of the Project or portions thereof, and it is further

RESOLVED, that the sum of \$584,700 is hereby appropriated or appropriated from the 2020 capital budget and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the amount required to pay 100% of the full Federal and Non-Federal shares of the cost of the project's Design, Construction & Construction Inspection phase exceeds \$565,900, the current cost of this project phase, the Town of Grand Island shall convene its Board as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Supervisor of the Town of Grand Island be and hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Town of Grand Island with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of the Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to the necessary Agreement & Supplemental Agreement No. 3 in connection with the Project, and it is further

RESOLVED, this resolution shall take effect immediately.

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal Engineer



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600, Ext. 635 Office
(716) 773-9618 Fax
E-mail: engineering@grand-island.ny.us

Town Board Agenda: October 19, 2020

October 15, 2020

To: Town Board

From: Robert H. Westfall, P.E.
Town Engineer

RE: CDBG – Federal Community Development Grant
Amended 2021-2022 Authorizing Resolution

Honorable Town Board:

We hereby request the Town Board authorize the attached amended resolution as part of the application submittal for the 2021-2022 CDBG grant.

lmd

RECEIVED
2020 OCT 15 AM 9:26
TOWN ENGINEER

Erie County 2021-2022 CDBG
Town of Grand Island
AMENDING AUTHORIZING RESOLUTION

WHEREAS, the Town of Grand Island seeks to participate in the 2021-2022 Erie County Community Development Block Grant Program, and

WHEREAS, the Town of Grand Island held a public hearing for comments on proposed projects for the year 2021 on October 5, 2020, and

WHEREAS, a few projects were brought up and the Town Board has agreed to submit one grant application for CDBG for the year 2021 and one application for CDBG-CV for the year 2021.

THEREFORE, be it resolved as follows:

The Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute a contract(s) with the Erie County Community Development Block Grant (CDBG) Program for the following projects by priority not to exceed \$150,000.00:

1. Golden Age Center & Nike Base Park Facilities: Construction of ADA-accessible pavilion.
2. Installation of ADA-accessible sidewalks in Grandyle Village area of Town.
3. Golden Age Center & Nike Base Park Facilities: Reconstruction/resurfacing of existing Tennis Courts.
4. Golden Age Center & Nike Base Park Facilities: Recreation Office/Senior Programming building improvements.

And, The Town of Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute a contract(s) with Erie County Community Development Block Grant – Cares Act fund (CDBG-CV) Program for the following projects by priority not to exceed \$200,000.00:

1. Recreation Improvements at Tower Park (Duplex area of Town)

This resolution shall take effect immediately.

This resolution was duly put to a roll call vote at the regular meeting of the Town of Grand Island Town Board held on October 5, 2020, the results of which were as follows:

Supervisor Whitney –
Councilman Madigan -
Councilwoman Baney –
Councilman Marston –
Councilman Digati –

Patricia Frentzel, Town Clerk

Seal of Municipality

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
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Town Board Agenda: October 19, 2020

October 15, 2020

To: Town Board

From: Robert H. Westfall, P.E.
Town Engineer

RE: Award Bid
Town Hall HVAC - Asbestos Abatement
Job # M-69-2019

RECEIVED
2020 OCT 15 AM 10:36
TOWN OF
GRAND ISLAND, NY

Honorable Town Board:

On October 14, 2020, the following bids were received for above referenced project:

Mark Cerrone, Inc	\$ 98,677.00
Metero Environmental	\$121,000.00
A.A.C. Contracting, Inc	\$167,965.00

We have reviewed the proposals and recommend award to Mark Cerrone, Inc. in the amount of \$ 98,677.00.

RHW/lmd



2255 BASELINE ROAD
GRAND ISLAND, NEW YORK 14072
(716) 773-9600

FOR TOWN BOARD AGENDA: OCTOBER 19, 2020

MEMO

TO: Town Board

FROM: Planning Board

DATE: October 13, 2020

RE: 1725 GRAND ISLAND BLVD – SITE PLAN APPROVAL

Richard Ries appeared via Zoom. The site plan was given approvals from Engineering and Code Enforcement. There was discussion of moving the dumpster to the back of the lot instead of in front along the Blvd. and where the handicap parking would be located.

It was moved by Starzynsky – Stessing to Approve the site plan with the condition that the dumpster is moved to the back with a three point turnaround if able.

Roll Call: Ayes – Stessing, Worrall, Lare, Pagoada, Bruno, Starzynsky
Noes – None
Carried



2255 BASELINE ROAD
GRAND ISLAND, NEW YORK 14072
(716) 773-9600

FOR TOWN BOARD AGENDA: OCTOBER 19, 2020

MEMO

TO: Town Board

FROM: Planning Board

DATE: October 13, 2020

RE: CREATION OF AGRICULTURAL ADVISORY BOARD

Jim Sharpe and Sheila Deminski appeared via Zoom to discuss the creation of the Ag Advisory Board. Comments were made as to who would sit on the Board and what role they would play. The discussion to change the wording to say at the request of the Town Board offer input to minimize and resolve conflicts. Also, it was mentioned that the wording of two liaison non-voting members is a contradiction and if they're a liaison you can call them a liaison but not a member. The Advisory Board should consist of 7 members and 2 alternates.

It was moved by Stessing – Pagoada to pass this Agriculture Advisory Board with the input and suggestions as mentioned as well as the input from September 14, 2020 meeting.

Roll Call: Ayes – Stessing, Worrall, Lare, Pagoada, Bruno, Starzynski
Noes – None
Carried