

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

EXCUSED: Paul Bodden, Nicholas Taneff

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

APPROVED MINUTES

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

The Chair noted that the Alternate member, Mr. Murray would be voting this evening due to the absences of Mr. Bodden and Mr. Taneff.

Upon a motion duly made and seconded, the reading of the Planning Board's March 9 2016 Meeting minutes was unanimously waived as each Board Member had previously received a copy.

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

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MC NAMARA	AYE
MURRAY	AYE

THE MOTION IS PASSED

1. P.B. File #06-16, Christopher McKeever of Amish Valley Sheds LLC, 3920 Southwestern Boulevard, located on the north side of Southwestern Boulevard, west of Abbott Road, Zoned B-2. Requesting a permit for an Outdoor Display of five (5) sheds. (SBL#'s 161.09-4-22.1 & 160.12-3-25)

APPEARANCE: Mr. Christopher McKeever, Petitioner

Mr. McKeever stated that he would like to display five (5) Amish storage sheds for sale.

The members discussed Mr. McKeever's request and established that the display will not have issues that no other items but the five (5) sheds will be displayed at this location and; that prior to erecting a sign the Building Inspector will be contacted. Mr. Mc Keever would like the display to remain through football season, and to have one shed displayed until the end of December 2016. There will be a sign with contact information to purchase a shed, but no sales person present at the site. Mr. McKeever stated that he, or the property owner, Mr. James J. Eagan may be contacted by phone if there are any issues with the sheds or the site. Mr. McKeever is to contact the Planning Department to reapply for 2017.

Mr. Heppner made a **MOTION**, seconded by Mr. Kaczor, to **GRANT** Outside Display for up to five (5) portable sheds for the period of 5/12/16 through 12/31/16, at 3920 Southwestern, based on the Sketch Plan received 3/11/16 and the following stipulations are to apply:

1. This is a Type II SEQR action and therefore no SEQR determination is required.
2. There will be no additional outside lighting for the display or temporary structure.
3. There will be no banners or additional signage for this facility; however, the applicant may place a temporary "For Sale" sign upon receiving approval from the Building Inspector. This signage will be displayed concurrently with the sheds.
4. Up to five (5) sheds will be on display from May 12 to December 31, 2016.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MCNAMARA	AYE
MURRAY	AYE

THE MOTION IS PASSED

2. P.B. File #07-16, John M. Griveas of Orchard Park Farmers Market LLC, 4050 North Buffalo, Zoned B-1. Applicant is requesting Planning Board approval of an Outside Display to hold a Farmer's Market with food trucks at this location from May 1, 2016 through November 28, 2016 on Thursday evenings from 3:00 PM through 7:00 PM.

APPEARANCE: Mr. John Griveas, Mr. Adam Kern, Petitioners

The Applicants explained that they would like to hold a Farmer's Market on Thursday's from 3:00 PM to 7:00 PM, in front of the "Orchard Fresh" Store. Plans include to have two food trucks and approximately 20 vendors with tents, each vendor will have a 10 x 10 ft. space to display their items from May 1st, through October 31, 2016. Artisans and Vendors are carefully reviewed for standards meeting the theme of "grown and produced here". Building Inspector Geist stated that the plaza parking lot is large, and he does not foresee issues with parking. The applicants will clean-up the site after the event ends each Thursday.

Mr. Mc Namara made a **MOTION**, seconded by Mr. Fabinsky, to **GRANT** an Outside Display, with two (2) Food Trucks, from May 1, through October 31, 2016 on Thursday evenings from 3:00 PM until 7:00 PM, based on the Location Plan received 4/15/16, and the following conditions and stipulations are to apply:

1. This is a Type II SEQR Action and therefore no SEQR determination is required.
2. There will be no additional outside lighting for the display or temporary structure.
3. There will be no banners or additional signage for this facility.
4. Clean-up will be performed by Orchard Park Farmers Market LLC.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MC NAMARA	AYE
MURRAY	AYE

THE MOTION IS PASSED

- 3. P.B. File#08-16, Kettles Corner, 3719 Abbott Road, located on the east side of Abbott Road, north of Route 20, Zoned B-2. Applicant is requesting an Outside Display Permit for a weekly Classic Car meet/show on Monday's, May 16th through September 26th, 2016 in their parking lot.

APPEARANCE: Mr. John Mallaber, Armor Inn, General Manager
 Ms. Joelle Janish, Kettles Corner Chief Financial Officer

Ms. Janish explained the specifics for the proposed weekly Classic Car meet to the Board. She noted that she has received the necessary permits and has planned for security, food, pop, and music to increase the enjoyment of those attending. The event will take place on Monday's from 6:00 p.m. to 10:00 p.m. under the direction of Mr. Mallaber. Two 10 x 10 ft. tents will be erected; one for the grill and food, and the other for the Disc Jockey. They estimate 45 to 60 vehicles to be parked for the car meet and feel parking will not be an issue. Building Inspector Geist will be contacted by the Applicants as to what type of signage is allowed.

Mr. Fabinsky made a **MOTION**, seconded by Mr. Heppner, to **GRANT** Outside Display, for a weekly Classic Car meet on Monday's, from 6 to 10 PM beginning May 16th through September 26th, 2016 in the parking lot of Kettles Corners, 3719 Abbott Road, based on the location plan received April 26, 2016 and the following conditions and stipulations are to apply:

1. This is a Type II SEQR action and therefore no SEQR determination is required.
2. There will be no additional outside lighting for the display or the temporary structures.
3. Banners or signage will be at the discretion of the Building Inspector.
4. Security and sanitation facilities are to be provided by the Petitioner.

ON THE QUESTION:

Mr. Mc Namara noted that the two tents are temporary structures. Stipulation #2 is to include "or the temporary structures".

Building Inspector Andy Geist established that the Petitioner will provide portable restrooms for those attending the car show. The port-o-potties will remain at the site for the duration of the show, and through the Buffalo Bills' football season.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BOWERS	AYE
HEPPNER	AYE
KACZOR	AYE
MCNAMARA	AYE
MURRAY	AYE

There being no further business, the Chairman adjourned the meeting at 8:20 P.M.

DATED: May 19, 2016
 REVIEWED: May 26, 2016

Respectfully submitted,
 Rosemary M. Messina
 Planning Board Secretary

Harold T. Fabinsky, Planning Board Chairman