

Town of Grand Island – Regular Meeting #7

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 18th of April 2022.

Present:	John C. Whitney	Supervisor
	Peter J. Marston	Councilman
	Michael H. Madigan	Councilman
	Thomas A. Digati	Councilman
	Christian J. Bahleda	Councilman
	Patricia A. Frentzel	Town Clerk
	Charles W. Malcomb	Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m.
Pastor Kevin Slough from Trinity United Methodist Church gave the Invocation.
Councilman Christian J. Bahleda led the Pledge of Allegiance.

The Meeting was conducted 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: Christian Buerk, Rose Bugman

PUBLIC HEARING:

Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision

A. Correspondence – Planning Board

A Public Hearing was held on Monday, April 18, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision.

Speakers: Michelle Bodowes, Joseph Arena

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Bahleda to table Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision.

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

MINUTES:

A motion was made by Councilman Digati, seconded by Councilman Madigan to approve Minutes of Workshop Meeting #10, April 4, 2022, and Minutes of Regular Meeting #6, April 4, 2022.

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

Monday, April 18, 2022 - 1

Town of Grand Island – Regular Meeting #7

CONSENT AGENDA:

1. Building Permits Issued – March 2022
2. Meeting Minutes – Zoning Board of Appeals – March 3, 2022
3. Campanelli & Associates, P.C. – Local Zoning Ordinances
4. Meeting Minutes – Planning Board – March 14, 2022

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

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

COMMUNICATIONS –TOWN BOARD:

SUPERVISOR JOHN C. WHITNEY:

Zonta Club

A. Request Approval to Use Gazebo in Town Commons

B. 10 Days of Service Recognition Bows

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to approve the Event Permit for the Zonta Club's request to use the Gazebo in the Town Commons for the Mum Sale on Saturday, September 10, 2022, from 11:00a.m. – 1:00p.m. The Town will provide folding tables for the plants.

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

A motion was made by Councilman Digati, seconded by Councilman Marston to approve the Zonta Club's request to place orange bows around the trees surrounding Town Hall on November 23, 2022 – December 1, 2022, for 10 Days of Service recognition.

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

East Park Garden Club – Request Approval to Use Gazebo in Town Commons

A motion was made by Councilman Marston, seconded by Councilman Madigan to approve the Event Permit for the East Park Garden Club of Grand Island's request to use the Gazebo in the Town Commons for their annual plant sale Saturday, May 21, 2022, from 9:00a.m. – 3:00p.m.

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

Monthly Supervisor's Report – November 2021

The Supervisor reported Cash Balance-Operating A/C of \$5,148,289 on November 1, 2021

Total Receipts of \$137,2767

Total Disbursements of \$1,780,231

Operating A/C Interest \$123

Operating A/C Balance \$4,740,948

Investment Interest \$246

Investment Balance \$9,894,772

Total Cash Balance as of November 30, 2021, \$14,635,719

No action by the Town Board.

Monthly Supervisor's Report – December 2021

Monday, April 18, 2022 - 2

Town of Grand Island – Regular Meeting #7

The Supervisor reported Cash Balance-Operating A/C of \$4,740,948 on December 1, 2021

Total Receipts of \$4,690,284

Total Disbursements of \$3,345,293

Operating A/C Interest \$131

Operating A/C Balance \$6,086,069

Investment Interest \$246

Investment Balance \$8,309,982

Total Cash Balance as of December 31, 2021, \$14,396,051

No action by the Town Board.

Monthly Supervisor's Report – January 2022

The Supervisor reported Cash Balance-Operating A/C of \$6,086,069 on January 1, 2022

Total Receipts of \$3,424,740

Total Disbursements of \$3,781,231

Operating A/C Interest \$155

Operating A/C Balance \$5,729,732

Investment Interest \$238

Investment Balance \$10,166,973

Total Cash Balance as of January 31, \$15,896,705

No action by the Town Board.

Monthly Supervisor's Report – February 2022

The Supervisor reported Cash Balance-Operating A/C of \$5,729,732 on February 1, 2022

Total Receipts of \$6,689,498

Total Disbursements of \$8,094,706

Operating A/C Interest \$174

Operating A/C Balance \$4,324,698

Investment Interest \$418

Investment Balance \$16,189,180

Total Cash Balance as of February 28, 2022, \$2,051,3878

No action by the Town Board.

Monthly Supervisor's Report – March 2022

The Supervisor reported Cash Balance-Operating A/C of \$4,324,698 on March 1, 2022

Total Receipts of \$2,517,285

Total Disbursements of \$1,422,987

Operating A/C Interest \$190

Operating A/C Balance \$5,419,186

Investment Interest \$418

Investment Balance \$15,692,763

Total Cash Balance as of March 31, 2022, \$21,111,949

No action by the Town Board.

Authorize Supervisor to Submit PO-17 – Creation of Chief Accountant Position

Monday, April 18, 2022 - 3

Town of Grand Island – Regular Meeting #7

A motion was made by Councilman Madigan, seconded by Councilman Digati to authorize the Supervisor to submit a PO-17 for the creation of Chief Accountant position.

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

Long Road Distribution Facility, 2780 Long Road (Grand Island Commerce Center) – Authorize Supervisor to Hire Consultant to Review SEQR Documents

A motion was made by Councilman Marston, seconded by Councilman Bahleda to remove the request for the Long Road Distribution Facility, 2780 Long Road (Grand Island Commerce Center) – Authorize Supervisor to Hire Consultant to Review SEQR Documents from the Town's agenda.

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

COUNCILMAN PETER J. MARSTON:

Local Law Intro #12 of 2021 – Establishment of the Town of Grand Strategic Planning Commission – Refer to Planning Board and Set Public Hearing

A motion was made by Councilman Marston, seconded by Councilman Digati to refer Local Law Intro #12 of 2021 – Establishment of the Town of Grand Strategic Planning Commission to the Planning Board for review and recommendation.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN ATTORNEY – PETER GODFREY:

Local Law Intro #6 of 2021 – Rezoning SBL #37.03-1-21.11, 37.03-1-61, 37.03-1-13.111 (Rivertown) – Grand Island Boulevard and Baseline Road – R-3, R1D, CBD to PDD (Application)

Resolution Issuing SEQRA Negative Declaration for Rivertown Center Project

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

WHEREAS, Legacy Development and its affiliate Rivertown Center Holdings LLC (collectively "Applicants") seek to construct and operate a new mixed use development known as Rivertown Center ("Project"), located on an approximately 25.885 acre area of land (SBL: 37.03-1-21.11; 37.03-1-61; 37.03-1-13.111) at 0 Grand Island Boulevard, between Grand Island Boulevard and Baseline Road, immediately north of Webb Road ("Site") in the Town of Grand Island ("Town"); and

WHEREAS, by submission dated June 29, 2021, the Applicants filed an application ("Application") for rezoning of the Site to Planned Development District ("PDD"); and

WHEREAS, the Applicants subsequently filed additional materials in conjunction with the Application, which were provided in subsequent filings dated December 29, 2021, March 2, 2022, and April 14, 2022; and

Town of Grand Island – Regular Meeting #7

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 N.Y.C.R.R. Part 617, et. seq., as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), the Town Board must satisfy the requirements contained in SEQRA prior to making a final determination on whether to approve the rezoning to PDD as requested in the Application; and

WHEREAS, pursuant to SEQRA, to aid the Town Board in determining whether the Project may have a significant adverse impact upon the environment, the Town Board has completed, received and/or reviewed: (1) the Application, as supplemented by the Applicants; (2) Part I of the Environmental Assessment Form (“EAF”); (3) certain environmental information, consisting of: (a) letter of no effect, dated June 11, 2021, from the Office of Parks Recreation and Historic Preservation (“OPRHP”), (b) a habitat assessment report, dated May 5, 2021, prepared by Earth Dimensions, Inc., (c) a traffic impact study, dated June 2021 and updated April 2022, prepared by SRF Associates, and (d) a wetland map prepared by Wilson Environmental Technologies, Inc. (collectively “Environmental Information”); and

WHEREAS, prior to making a recommendation about the potential environmental significance of the Project, the Town Board has reviewed the list of activities that constitute Type I Actions in Section 617.4 of the SEQRA regulations and the list of activities that constitute Type II Actions in Section 617.5 of the SEQRA regulations; and

WHEREAS, based upon the Application as supplemented, Part I of the EAF, and the Environmental Information, the Town Board has determined that the Project constitutes a Type I Action for purposes of SEQRA because, among other things, the Project involves the physical alteration of more than 10 acres, which constitutes a Type I action pursuant to Section 617.4(b)(6)(i) of the SEQRA regulations; and

WHEREAS, a coordinated review is mandatory for all Type I actions and the Town Board has identified certain parties as potentially involved agencies for purposes of SEQRA (“Potentially Involved Agencies”); and

WHEREAS, in conjunction with its intention to act as lead agency to complete coordinated review of the Project, the Town Board, in July 2021 caused to be delivered to the Potentially Involved Agencies copies of the Application and EAF, together with notice of the Town Board’s intent to act as lead agency for review of the Project pursuant to SEQRA; and

WHEREAS, none of the Potentially Involved Agencies contested lead agency status, and the time period for the Potentially Involved Agencies to object has expired; and

WHEREAS, the Town Board having taken a hard look at the potential environmental impacts, and a thorough analysis of the Environmental Information and

Monday, April 18, 2022 - 5

Town of Grand Island – Regular Meeting #7

potential environmental impacts associated with the Project reveals that the Project will not have any potentially significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

- Section 1. The Town Board hereby declares itself lead agency for purposes of a coordinated review of the Project pursuant to SEQRA.
- Section 2. Based upon a thorough review and examination of the Application, including the EAF and the Environmental Information, and upon the Town Board's knowledge of the land and area surrounding the Site and such further investigation of the Project and its environmental effects as the Town Board has deemed appropriate, the Town Board makes the following findings with respect to the Project:
- a) The Project is a Type I action pursuant to SEQRA because, among other things, the Project involves more than 10 acres of physical disturbance.
 - b) The Town Board has undertaken a coordinated review of the Project in accordance with the requirements of SEQRA.
 - c) No potentially significant adverse impacts on the environment are noted in the Environmental Information and none are known to the Town Board.

- Section 3. Based upon the Town Board's review of the Application, including the EAF and the Environmental Information, and its investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated on the EAF, and upon the Town Board's knowledge of the land and surrounding area and such further investigations of the Project as the Town Board has deemed appropriate, the Town Board has determined that the Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are as follows:

1. Impact on Land.

The Project entails the construction and operation of a mixed use development known as Rivertown Center, located on an approximately 25.885 acre area of land between Grand Island Boulevard and Baseline Road, immediately north of Webb Road in the Town of Grand Island, which will include multifamily residential, single family residential, commercial, and community open space all featured within a Town Center-style setting, including a Town Center retail corridor. As indicated on the EAF, the Site is located on an area of land where the average

Monday, April 18, 2022 - 6

Town of Grand Island – Regular Meeting #7

depth to the water table is between 0.5 and 1.5 feet. Notwithstanding such shallow water table, appropriate erosion and sediment control, as well as appropriate dewatering will be incorporated during construction to avoid any adverse impact to land. Otherwise, the Site is relatively flat having a slope between 0% and 10% throughout the entirety of the Site. The average depth to bedrock on the Site is greater than 5 feet and the Project does not require the excavation of more than 1,000 tons of material. Although the Project will be constructed in three phases of construction over a four-year period, construction will not be continuous during that time. Instead, construction will occur during that four-year period as necessary based on anticipated occupancy. Moreover, this phased approach prevents disturbance of the entire Site at one time. The Project will not result in increased erosion from physical disturbance or vegetation removal because the Project will utilize appropriate erosion and sediment control practices in accordance with a stormwater pollution prevention program (“SWPPP”), which will be reviewed and approved by the Town during the site plan review process and will conform to the requirements of the State Pollution Discharge Elimination System (“SPDES”) general permit for construction activities. The Project is not located within a Coast Erosion hazard area. Accordingly, the Project will not have a significant adverse impact on land.

2. Impact on Geological Features.

As indicated in the EAF, the Project will not result in the modification or destruction of, and will not inhibit access to any unique or unusual land forms on the Site. Specifically, there are no unique geological features present on the Site and the Project will not affect and is not adjacent to a geological feature listed as a registered National Natural Landmark. Accordingly, the Project will not have any potentially significant adverse impacts to geological features.

3. Impact on Surface Water.

As indicated in the EAF, the Project will not create a new water body. However, the Project will result in alteration of an existing stream at the Site. Specifically, the Project contemplates some changes to Woods Creek, which is a federally regulated stream, involving rerouting of this waterbody. Any alteration to such stream will be done in coordination with the United States Army Corps of Engineers (“USACE”), including any necessary permits for such alteration. Additionally there are four wetlands on Site. Three of these wetlands were determined by USACE not to be federal jurisdictional wetlands and are likewise not state-regulated wetlands. The fourth wetland on the Site is a state-regulated wetland, located in the southeast corner of the Site. The Project involves alteration of the three non-jurisdictional wetlands but has otherwise been carefully designed to avoid impacts to the state-regulated wetland.

Monday, April 18, 2022 - 7

Town of Grand Island – Regular Meeting #7

To the extent that any disturbance of the state-regulated wetland may be undertaken as part of the Project, such disturbance would be limited to impacts in the buffer area of the wetland that would be related to cleanup of the Site pursuant to the Brownfield Cleanup Program (“BCP”). In the event that the Applicant elects to remediate this contamination from the Site through the BCP, disturbance in the buffer area of this state-regulated wetland will result in a net improvement at the Site, including improvement to the surface waters. The Applicant previously filed an application with NYSDEC to enter the BCP and has discussed the on-Site wetlands with NYSDEC in the context of both its required permits, as well as the BCP. Any disturbance in the buffer area of the state-regulated wetland will be done in coordination with the New York State Department of Environmental Conservation (“NYSDEC”). The Applicants have already begun discussions with NYSDEC and USACE and will continue to work with these agencies to obtain necessary permits. Although the Project will disturb the surface waters present at the Site, the Project is not anticipated to create turbidity in any waterbody given that the impacts to surface waters have been necessarily minimized and that the Project will utilize appropriate erosion and sediment control measures. The Project will create a demand for new water, requiring approximately 68,000 gallons of water per day at full build out. This increase in demand will be met by the Grand Island Water Department, which has indicated that it has the capacity to serve this Project. The Project will likewise generate wastewater of approximately 68,000 gallons per day at full build out. This wastewater will be treated and processed in the Grand Island Wastewater Treatment Facility, which has indicated that it has the capacity to treat and handle the anticipated wastewaters. The Project will require coverage under a SPDES permit and the Applicant will apply for coverage under the general SPDES permit for construction activities, closer in time to construction. In conjunction with the required SPDES permit, the Project will utilize a SWPPP prepared in accordance with the SPDES permit. Both the SPDES permit and the SWPPP prepared thereunder will ensure that water quality can be maintained and that the Project will not degrade any receiving water bodies or otherwise negatively impact same. The Project does involve considerable plantings that will require vegetative maintenance; however, appropriate precautions will be taken when and if pesticides are utilized on the Site. Accordingly, the Project will not have any potentially significant adverse impacts to surface water.

Town of Grand Island – Regular Meeting #7

4. Impact on Groundwater.

As stated in the EAF, and discussed above, the Project will generate a new demand for approximately 68,000 gallons of water and will likewise generate approximately 68,000 gallons of wastewater, which can be handled by existing water service and existing wastewater treatment facilities. Although the Site is not currently served by water and or sewer services, it is surrounded by residential and commercial development that utilize public water and sewer infrastructure. Given the proximity to a number of properties that utilize existing water and sewer infrastructure, the Project can connect to same for service by the Grand Island Water District and Grand Island Wastewater Treatment Facility, both of which have capacity to service the Project. Otherwise the Project does not involve the bulk storage of petroleum or chemical products and is not located over an aquifer, such that no impacts to groundwater are anticipated. The Project does involve considerable plantings that will require vegetative maintenance; however, appropriate precautions will be taken when and if pesticides are utilized on the Site. Moreover, any pesticides or herbicides applied at the Site will not be applied near potable drinking water sources. Accordingly, the Project will not have any potentially significant adverse impacts to groundwater.

5. Impact on Flooding.

As indicated on the EAF, the Site is not located in a floodplain or floodway. However, the Site is considered poorly drained as 100% of on-Site soils are poorly drained. The Site contains a pond and federally regulated stream, which both serve stormwater and drainage functions for the Site. As part of the Project, certain modifications to the on-Site pond will be completed consisting mostly of aesthetic improvements that will not impact the pond's functionality. As noted above, the Project likewise involves modifications to Woods Creek, the federally regulated stream, that involve rerouting the stream through a culvert. The modification of Woods Creek is not expected to impact the drainage function or flow of Woods Creek. This modification will be undertaken subject to a permit from USACE and the Applicants have already begun discussions with USACE. The Project is otherwise not anticipated to change flood water flows that contribute to flooding and there is no dam located on the Site. Accordingly, the Project will not have any potentially significant adverse impacts to flooding.

6. Impact on Air.

As indicated on the EAF, the Project does not include any state regulated air emission source. Although there may be some air impacts associated with construction vehicles during the construction period, any impacts will be limited given the nature of such impacts and will otherwise be

Monday, April 18, 2022 - 9

Town of Grand Island – Regular Meeting #7

temporary. Accordingly, the Project will not have any potentially significant adverse impacts to air resources.

7. Impact on Plants and Animals.

As noted on the EAF, the Site may contain ordinary wildlife species such as white-tailed deer, eastern chipmunk, field mice, raccoon, skunk, red fox, squirrel, woodchuck, and common garter snake. Although these common species may potentially be present at the Site, the Site is not well-suited as habitat for these types of animals given the proximity to existing commercial and residential development, which surrounds the Site. There are otherwise no threatened or endangered species or their habitat, no significant natural community, no rare plant or animal species or species of special concern are known to be located on the Site.

Although the Project does involve the physical alteration of approximately 25 acres, significant green space, approximately 40% of the Site, will be retained at full build out. This green space includes, among other things, eight park areas and a nature trail in the southeast corner of the Site. This green space will remain undeveloped and any common species currently present at the Site can continue to utilize this green space. Accordingly, the Project will not have any potentially significant adverse impacts to plants, animals, natural communities or wildlife habitat.

8. Impact on Agricultural Resources.

The Site is located within an established suburban community in an area that is not currently utilized for agriculture and, in fact, is earmarked for this kind of development. The Site is not located within or in close proximity to any New York State certified Agricultural District and, indeed, there are no known agricultural resources in proximity to the Site. Accordingly, the Project will not have any potentially significant adverse impacts to agricultural resources.

9. Impact on Aesthetic Resources.

As indicated on the EAF, the Site is located in proximity to Buckhorn Island State Park, a nature preserve approximately 895-acres in size containing meadows and woods and marshlands. Buckhorn Island State Park is predominantly used for recreation, and features hiking trails, biking trails, waterfront access, and in the winter, an area for cross country skiing. Buckhorn Island State Park is located on the northern tip of Grand Island, approximately 3.7 miles from the Site. Given the distance between Buckhorn Island State Park and the Site, as well as the considerable suburban development in the area between Buckhorn Island State Park and the Site, it is not anticipated that the Project will

Town of Grand Island – Regular Meeting #7

obstruct, eliminate, or significantly impact any scenic or aesthetic resource within the Buckhorn Island State Park.

The Site is also located in proximity to Beaver Island State Park, which is located at the southern tip of Grand Island, approximately, 4.3 miles from the Site. Beaver Island State Park is an approximately 950-acre park, featuring a variety of recreational facilities such as a beach, an 80-slip marina with seasonal and transient boat slips, fishing access, boat and kayak launches, bike and nature trails, nature center, playground, picnic areas, athletic fields, horseshoe pits, and a golf course. Given the distance between Beaver Island State Park and the Site, as well as the considerable suburban development in the area between Beaver Island State Park and the Site, it is not anticipated that the Project will obstruct, eliminate, or significantly impact any scenic or aesthetic resource within Beaver Island State Park.

To the extent that the Project will be visible at the Site, it should be noted that the Site is located near existing commercial development, in an area targeted for this type of project, where visual sensitivity is less. Furthermore, the Project has been specifically designed with a transition buffer area so that less intensive uses are located on the portions of the Site that border neighboring single-family residential development. This design means that the tallest structures on the Site, i.e., the 4-story market rate apartment buildings, are located on an area of the Site away from neighboring single-family residential development and closest to neighboring commercial development and vacant land. Although the Project may be visible from the single-family residential structures within the vicinity of the Site, the Project is well-designed to be harmonious with this existing development and will feature ample vegetative screening to reduce the visual impact of the Project on the surrounding residential properties. Moreover, as noted above, the Project features ample, publicly accessible green space, including eight park areas, as well as a walking trail and nature trail that will provide opportunities for public recreation and enjoyment of green space on the Site. Thus, the Project will actually promote and improve aesthetic resources in the Town by providing opportunities for outdoor recreation and enjoyment of nature where no such opportunities currently exist. Accordingly, the Project will not have any potentially significant adverse impacts to aesthetic resources.

10. Impact on Historic and Archeological Resources.

As indicated on the EAF, the Site does not contain, nor is it substantially contiguous to a registered National Natural Landmark. Likewise, the Site is not located in or adjacent to an area designate as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory and no archaeological or historical sites

Monday, April 18, 2022 - 11

Town of Grand Island – Regular Meeting #7

have been identified on the Site. A Phase I Archaeological Survey was completed at the Site in May 2021, which did not identify any cultural resource material at the Site or precontact or historic archeological sites. The Phase I Archaeological Survey was reviewed by the New York State Office of Parks, Recreation, and Historic Preservation and a letter of no effect was issued for the Project on June 11, 2021, which stated that no archaeological or historic resources would be impacted by the Project. Accordingly, the Project will not have any potentially significant adverse impacts to historic and archeological resources.

11. Impact on Open Space and Recreation.

The Project will have an overall positive impact on open space and recreation. As part of the Project, eight publicly accessible parks will be created at the Site, including six pocket parks, a dog park, and a playground. Additionally, the Project includes a publicly accessible multi-modal path through the Site, as well as a walking path around the on-Site pond and a new nature trail that will be developed in the southeast corner of the Site. The Project will also feature sidewalks throughout that will connect to existing and in-process sidewalks being developed along Grand Island Boulevard. Thus, the Project results in the addition of significant recreational open space at the Site, which will be publicly available and is a significant amenity provided by the Project. At full build out, the Project will provide significant opportunity for recreation and enjoyment of open space that will be available to the public in an area where no such amenities currently exist. Accordingly, the Project will not have any potentially significant adverse impacts to open space or recreational resources and actually has a positive impact on open space and recreational resources.

12. Critical Environmental Areas (“CEAs”).

As noted in the EAF, the Site is not located within a CEA. Accordingly, the Project will not have any potentially significant adverse impact to any CEA.

13. Impact on Transportation.

As noted on the EAF, the Project will result in increased traffic above present levels. Specifically, the Traffic Impact Study prepared by SRF Associates (“TIS”) and updated in April 2022 based on certain project changes, indicates that at full build there will be some increase in traffic associated with the Project, but that this traffic will not result in any significant decrease in levels of service at the intersections surrounding the Project. This conclusion was formed using a conservative growth factor that anticipates a greater growth in protected traffic patterns than is otherwise anticipated to occur based on historical traffic conditions

Monday, April 18, 2022 - 12

Town of Grand Island – Regular Meeting #7

and observed traffic trends. Although certain delays may be experienced exiting the Project onto Grand Island Boulevard during peak evening hours, these delays are characteristic of driveways on moderately trafficked highways, such as Grand Island Boulevard. In order to accommodate the anticipated increase in traffic, a left turn lane will be installed on Grand Island Boulevard for northbound traffic turning left into the middle driveway of the Project that fronts on Grand Island Boulevard. Beyond the installation of this left turn lane, the TIS concludes that no other mitigation is warranted or recommended for the Project. Furthermore, the Project features a multimodal path throughout the Site that connects to the bike path on Grand Island Boulevard, as well as sidewalks that connect to the Town's broader sidewalk network, offering a wider variety of transportation options that will facilitate transportation of bicyclists and pedestrian and can serve to reduce overall traffic demand in the area around the Site. Accordingly, the Project will not have any potentially significant adverse impacts to transportation.

14. Impact on Energy.

As noted on the EAF, the Project will generate a new demand for energy, requiring approximately 71,722 kilowatt hours of energy per year. This demand for new energy will be provided by the local grid using National Grid as the utility provider. The increased energy demand associated with the Project can be handled using existing utility infrastructure and, as indicated in the EAF, no upgrades to the existing substation are required for the Project. Furthermore, the Applicant will utilize efficient appliance and heating and cooling systems to the extent practicable or as otherwise required to conform to the Climate Leadership and Community Protection Act. Accordingly, the Project will not have any potentially significant adverse impacts to energy.

15. Impact on Noise, Odor and Light.

As noted on the EAF, the Project will produce noise above existing ambient levels during the construction phase of the Project. Such noise will be typical noise from construction activities and will occur primarily during normal business hours when noise sensitivities are lowest. Thereafter, during the operational phase of the Project, there may be a minimal increase in noise at the Site associated with the increase in commercial and recreational activities at the Site. Any noise during the operational phase of the Project will be consistent with development existing in the area around the Site, which consists of commercial and residential development. Accordingly, the Project will not have any potentially significant adverse impacts to noise.

Town of Grand Island – Regular Meeting #7

The Project may produce some odor during the construction phase of the Project primarily associated with exhaust from construction vehicles at the Site. These odors will occur temporarily and intermittently during the construction period only. Given the size of the Site, such odors are expected to dissipate before reaching any residential uses. During the operational phase of the Project no odors are anticipated from the operation of the Project, which features uses similar to those already existing in the area around the Site. Accordingly, the Project will not have any potentially significant adverse impacts to odor.

As noted on the EAF, the Project will utilize outdoor lighting in parking areas, as well as some building mounted light fixtures, and streetlights. Lighting details will be established during site plan review and all lighting at the Project will conform to the requirements of the Town of Grand Island Town Code. As noted above, the Project incorporates vegetative screening between the Project and adjoining residential uses, which will minimize light impacts on these properties. Additionally, the Site is located near existing roadways and commercial development where sensitivity to lighting is less. Accordingly, the Project will not have any potentially significant adverse impacts to light.

16. Impact on Human Health.

As noted on the EAF, the Site is located within 1500 feet of St. Stephen's School, a parochial school that serves students in Pre-K through eighth grade. The school is located off of Baseline Road across the street from the Project. Although this school is in close proximity to the Site, the Project will not impact the school given that the Project incorporates uses that are similar to uses that already adjoin the school, including both commercial and residential uses. The Project does not involve the generation of hazardous waste and, as noted above, may involve remediation of the Site through the BCP. The Project will result in the generation of solid waste both during the temporary construction period and at full build out. During both the construction and operational phases of the Project, approximately 2 tons of solid waste will be generated each week, which will be removed from the Site and recycled or otherwise disposed of as necessary. Disposal will be through a local waste management company and/or at a landfill authorized by the New York State Department of Conservation. The amenities provided by the Project, including a playground, walking path, and nature trail, that are accessible to the public will provide an overall benefit to public health since they provide recreational and physical fitness opportunities as well as an opportunity to enjoy nature. Accordingly, the Project will not have any potentially significant adverse impacts to human health and actually will have a positive impact on human health.

17. Impact on Community Plans/Community Character.

Monday, April 18, 2022 - 14

Town of Grand Island – Regular Meeting #7

As noted in the EAF, the Site is zoned for both commercial and residential uses, which permit the exact type of uses proposed by the Project. Although the Applicant is seeking a rezoning, this rezoning is primarily to provide design flexibility for the Project and allow the Applicant to position less intensive uses on areas of the Site that border single family residential development and more intensive uses on areas of the Site that border commercial uses or vacant land. This design flexibility also facilitates the creation of a Town Center retail corridor within the Project and allows for a Project design that features significant amounts of green space and recreational open space, both of which are consistent with the Town's goals for the Site. The Project is consistent with the Town of Grand Island Comprehensive Plan, which, among other things, states that the Town desires to create increased housing density at the Site and to enhance the existing, unofficial Town Center, which is located immediately to the north of the Site at the intersection of Whitehaven Road and Baseline Road near Grand Island Boulevard. The Project creates a walkable, active environment with a mix of uses, public spaces, and development style that is consistent with the Town's unique island community and consistent with the Town's vision for the Site and the area around the Site. Accordingly, the Project will not have any potentially significant adverse impacts to community plans or community character and actually has a positive impact on same inasmuch as the Project helps the Town to achieve important goals as outlined in the Town's Comprehensive Plan.

18. Cumulative Impacts.

The proposed Project involves a variety of uses, including multifamily residential, single family residential, commercial, and community open space all featured within a Town Center-style setting, including a Town Center retail corridor. The Project will create a walkable, active environment at the Site and bring together a mix of uses and public spaces in accordance with the Town's vision for the Site and the area around the Site as detailed in the Town's Comprehensive Plan. There are considerable benefits associated with the Project and there are otherwise limited impacts. As noted herein, relevant studies of the Project, including the TIS, have been conservatively modeled to anticipate and overstate future conditions in the Town and the area around the Site. Such conservative modeling enables the relevant studies to account for potential future development that outpaces historical or observed growth patterns. Accordingly, the Project will not have any potentially significant adverse impacts.

Considering all of the above, the Project will not have a significant adverse impact upon the environment and a negative declaration pursuant to SEQRA is hereby issued.

Monday, April 18, 2022 - 15

Town of Grand Island – Regular Meeting #7

Section 4. The Town Board relied upon, as support for this Negative Declaration, the Application, including the EAF and Environmental Information, and such other information as the Town Board deemed appropriate, including its knowledge of the area surrounding the land.

Section 5. This Resolution shall take effect immediately.

Section 6. The Town Attorney is directed to take such actions as are necessary to effectuate this Resolution and to document the Town Board's compliance with SEQRA.

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

Resolution Adopting Local Law Rezoning Property to Planned Development District and Approving Rivertown Center Development Concept Plan

A motion was made by Councilman Marston, seconded by Councilman Digati to approve the following resolution adopting Local Law #1 of 2022 Rezoning Property to Planned Development District:

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

Section 1: Property located at 0 Grand Island Boulevard, Grand Island, NY between Grand Island Boulevard and Baseline Road, immediately north of Webb Road, consisting of parcel SBL Nos. 37.03-1-21.11; 37.03-1-61; 37.03-1-13.111, as shown on the attached Schedule A (the "Property"), is hereby conditionally rezoned from R-3, R1D, and CBD to Planned Development District (PDD) No. 4. The Development Concept Plan for the Property is hereby approved as set forth in the attached Schedule B (including Schedules B-1 and B-2), which is incorporated herein by reference. The conditions applicable to this rezoning and approval of the Development Concept Plan are as set forth in the attached Schedule B. Following approval of the Detailed Development Plan, pursuant to Section 407-121(B) of the Town of Grand Island Code, the zoning regulations applicable to the Property shall be as set forth in the Detailed Development Plan, consistent with the Development Concept Plan, approved herein.

Section 2: Non-severability. The provisions of this Local Law, including in the attached Schedule B, are not severable. If any part or provision of this Local Law or any part, provision, or condition of the Development Concept Plan, including amenities offered pursuant to Town Law § 261-b and Town of Grand Island Code §§ 407-20 and 407-120 (Schedule B and including Schedules B-1 and B-2) is for any reason held to be unconstitutional or invalid, then the entirety of this Local Law, the rezoning, and the Development Concept Plan approval shall be considered invalid and shall be void in their entirety. The Town Board has

Monday, April 18, 2022 - 16

Town of Grand Island – Regular Meeting #7

determined that each and every portion of this legislation and approvals and determinations related thereto are integral to the decision to adopt this legislation. No portion may be appropriately severed.

Section 3: This Local Law is effective upon filing with the Secretary of State in accordance with the Municipal Home Rule Law.

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

A motion was made by Councilman Marston, seconded by Councilman Digati to adopt the following resolution approving Rivertown Center Development Concept Plan:

WHEREAS, Legacy Development and Rivertown Center Holdings, LLC (collectively, the “Applicants”) seek to construct and operate a mixed-use development, known as Rivertown Center (“Project”), consisting of multifamily residential, single family residential, commercial, and community open space uses, on an approximately 25.88 acre area of land between Grand Island Boulevard and Baseline Road, immediately north of Webb Road (“Site”); and

WHEREAS, in order to facilitate the Project, the Applicants have submitted an application for rezoning of the Site to Planned Development District (“Application”); and

WHEREAS, in accordance with General Municipal Law § 239-m, the Town Board referred the Application to the Erie County Department of Environment and Planning, and received a response of no recommendation; and

WHEREAS, in accordance with Code § 407-121(A)(2)(e), the Town of Grand Island Planning Board (“Planning Board”), by resolution dated October 12, 2021, voted to recommend that the Town Board approve the Application for rezoning; and

WHEREAS, following receipt of such recommendation, the Town Board, in accordance with Code § 407-121(A)(2)(f)(1) requested additional information from the Applicants; and

WHEREAS, the Applicants, by letter dated December 29, 2021, filed certain supplemental materials (“Application Supplement”) providing further detail about the Project, including the incentives required for the Project and the amenities offered in exchange; therefore, and

WHEREAS, pursuant to Code § 407-121(A)(2)(f)(1), the Town Board held a public hearing on the Application on January 18, 2022; and

WHEREAS, pursuant to Code §§ 407-20 and 407-120(C)(2), the Applicant has provided acceptable amenities in exchange for the incentives requested in the Application; and

Monday, April 18, 2022 - 17

Town of Grand Island – Regular Meeting #7

WHEREAS, pursuant to Town Law § 261-b, the Town Board has determined that the amenities offered are necessary and appropriate and are to advance the Town’s specific cultural and social policies as articulated in the Town of Grand Island Comprehensive Plan; and

WHEREAS, pursuant to Code § 407-189, the Town Board wishes to approve the Application, amend the Code of the Town of Grand Island, and amend the zoning map adopted thereunder; and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 N.Y.C.R.R. Part 617, et. seq., as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), the Town Board must satisfy the requirements contained in SEQRA prior to making a final determination on whether to approve the rezoning to PDD as requested in the Application; and

WHEREAS, by resolution dated April 18, 2022, the Town Board acting as lead agency for coordinated review of the Type I Action in accordance with its obligations under SEQRA previously issued a negative declaration for the Project.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

Section 1. Based upon the Town Board’s review of the Application, the Town Board has determined that the Project meets the standards set forth in Code § 407-122. The reasons supporting this determination are as follows:

A. General Standards

1. The PDD is consistent with the Town of Grand Island Comprehensive Plan. The Project serves several important goals identified in the Town’s Comprehensive Plan. Specifically, the Project will create a true Town Center that offers a walkable, active environment with a mix of uses, public spaces, and development style that is fitting for the Town. As detailed in the Comprehensive Plan, the Town has long sought to enhance the existing unofficial town center at the intersection of Whitehaven and Baseline Roads near Grand Island Boulevard. The Project will achieve this goal by increasing housing density in the area and creating a Town Center retail corridor that will make the area more inviting and vibrant, improving sense of place in the area and creating a flexible-use social space. The Project also features a number of publicly accessible green spaces and other amenities, such as a multi-modal path, nature trail, and walking path that will enhance recreational opportunities in the Town and make the area

Monday, April 18, 2022 - 18

Town of Grand Island – Regular Meeting #7

around the Site more pedestrian friendly, serving the Town's open space and transportation goals. The significant green space at the Site serves the Town's natural resource goals articulated in the Comprehensive plan by providing an opportunity for Town residents to foster their relationship with the natural environment and encourage stewardship of the Town's natural resources. Additionally, the pond improvements proposed as part of the Project will improve the quality of this existing natural resource, making it better suited for wildlife and wildlife habitat and useful for more than just flood control and stormwater management, providing community space and parkland and preserving natural features at the Site. Accordingly, inasmuch as the Project serves a number of important goals articulated in the Comprehensive Plan, it is consistent with same.

2. The PDD provides for the preservation of scenic features and natural features such as streams and shorelines, ponds, lakes, trees, grasses, wooded cover and rough terrain. Approximately 40% of the Site will be retained as green space, including the pond, walking path around the pond, nature trail, and eight park spaces. The significant retention of open space at the Site is even more than is otherwise required under the Code for a rezoning to PDD. Not only does the Project involve the retention of such open space, but the Project will also improve these natural features on the Site. Specifically, the Project involves improvements to the on-Site pond, including the addition of the walking path and landscaping that will improve the aesthetics of this feature and make it more accessible. The Project also involves the creation of a nature trail that will wind through an area of the Site where existing vegetation will be retained. The Project also features significant landscape plantings that will perform an important screening function at the Site and enhance the natural beauty of the Site. Accordingly, the Project provides sufficient preservation of natural features on the Site and, in fact, will actually improve the natural features at the Site.
3. The PDD is compatible with existing development in the surrounding area and does not unduly burden existing Town infrastructure or services. The Project involves uses that are permitted under the current zoning at the Site and are similar to existing development in the area. Specifically, the Site is zoned for single-family and multi-

Monday, April 18, 2022 - 19

Town of Grand Island – Regular Meeting #7

family residential development as well as certain commercial development. This zoning reflects the mix of commercial and residential uses, including multi-family and single-family residential uses, that exist in the area around the Site. Specifically, the Site is bordered on the north and east by existing commercial development, including restaurants and retail, as well as multi-family residential development. The Site is bordered on the south and west by single-family, institutional, and commercial uses. Consistent with this existing development, the Project has been designed so that less intensive uses are located on areas of the Site that border single-family residential development, while more intensive uses are featured on portions of the Site that border existing commercial development or vacant land. This unique project design is an important feature of the Site that makes it well-suited for the area and preferable to neighboring property owners as compared to prior development efforts at the Site. Accordingly, the Project is compatible with existing development in the area around the Site.

The Site is currently, vacant undeveloped land. The Project will bring this vacant piece of land into productive use, expanding the Town's tax base, creating new commercial development, and driving economic activity to the Site. The additional tax revenue generated by this Project will offset any increase in infrastructure costs associated with the Project. Moreover, as a result of the Project, the Town will benefit from a number of amenities that are being installed at the Site. These amenities include the development of substantial park space, installation of walking and nature trails, installation of a multi-modal path, installation of sidewalks that will connect to existing sidewalks on Grand Island Boulevard, and the creation of a Town Center retail corridor. These amenities are being installed at no cost to the Town and will be maintained by the Applicants such that the Town and its residents will benefit from these amenities without incurring any associated cost. To the extent that the Project will increase demand for water and energy at the Site, this increased demand can be handled by existing

Town of Grand Island – Regular Meeting #7

infrastructure. Accordingly, the Project does not unduly burden existing Town infrastructure or services.

4. The developer has sufficient financing and capabilities to complete the project as presented. Legacy Development has significant development experience, including specific experience with similar projects in the western New York area. Furthermore, the Applicants have invested significant time and resources into this Application. Accordingly, the Applicants have sufficient financing and capabilities to complete the Project as presented.
5. The PDD provides all necessary water, sewer, and stormwater management facilities, storm drainage, highway access, paved surface streets, parking and loading facilities, and off-street lighting, and the developer has made reasonable provisions for utility service connections with adjoining properties and other ownerships. As noted above, the Project will increase demand for water and sewer service at the Site. The Grand Island Water District and Grand Island Wastewater Treatment Facility have sufficient capacity to meet this additional demand. Furthermore, the Project will be required to obtain a State Pollution Discharge Elimination System (“SPDES”) Permit prior to construction and the Applicants have indicated their intent to obtain coverage under the General SPDES Permit for Construction activities that is maintained by the New York State Department of Environmental Conservation (“NYSDEC”). As part of the SPDES Permit process, the Applicants will be required to prepare a stormwater pollution prevention plan (“SWPPP”) that conforms to the requirements of the SPDES permit. The Applicants will also incorporate sediment and erosion controls as necessary. The Project features a new roadway running through the Site, providing access to roadways around the Site and access to on-Site parking. On-site parking for the Project largely conforms to the Code requirements for same, but to the extent that any waiver of the Code’s parking requirements is necessary, any waiver is likely limited in scope and can be addressed in the detailed development plan and/or in the context of site plan review. The Project will otherwise incorporate lighting in conformance with the Code and lighting can be addressed the detailed development plan and/or in the context of site plan review. Utility service to the Project will be provided by National Grid and further details

Monday, April 18, 2022 - 21

Town of Grand Island – Regular Meeting #7

regarding utility connections can be addressed within the detailed development plan and/or in the context of site plan review. Accordingly, the Project provides all necessary water, sewer, and stormwater management facilities, storm drainage, highway access, paved surface streets, parking and loading facilities, and off-street lighting, and the developer has made reasonable provisions for utility service connections with adjoining properties and other ownerships.

6. The developer will provide all necessary water and sewer facilities, storm drainage, highway access, paved service streets, parking and loading facilities, off-street lighting and make reasonable provisions for utility service connections with adjoining properties and other ownerships. As noted above, the Applicants have made adequate provisions for each of these items. Further details about each of these items can be handled in the detailed development plan and/or in the context of site plan review. Accordingly, the developer will provide all necessary water, sewer, and stormwater management facilities, storm drainage, highway access, paved surface streets, parking and loading facilities, and off-street lighting, and the developer has made reasonable provisions for utility service connections with adjoining properties and other ownerships.
7. All electric, telephone, cable television and similar equipment will be installed underground in accordance with the New York State Public Service Commission standards. The Project will install all electric, cable, television, and similar equipment underground, as required by state or local law. Further details about the installation of electric, cable, television, and similar equipment will be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, the Project conforms to this standard.
8. The right-of-way and pavement width for internal roads serving all development are adequate and sufficient in size, location and design to accommodate the maximum traffic, parking and loading needs of the development; the pavement meets all applicable Town standards. The Project features a new roadway running through the Site, providing access to roadways around the Site and access to on-Site parking. At this stage of development, the

Monday, April 18, 2022 - 22

Town of Grand Island – Regular Meeting #7

developer has provided an appropriate level of detail to confirm the adequacy of on-Site roadways. Further details regarding roadway specifications can be addressed in the detailed development plan and/or in the context of site plan review. On-site parking for the Project largely conforms to the Code requirements for same, but to the extent that any waiver of the Code's parking requirements is necessary, any waiver is likely limited in scope and can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, the right-of-way and pavement width for internal roads serving all development are adequate and sufficient in size, location and design to accommodate the maximum traffic, parking and loading needs of the development and the pavement meets all applicable Town standards.

9. There is adequate access for fire-fighting equipment, police and other emergency vehicles. The Project incorporates roadways and parking throughout the Site. At this stage of development, the developer has provided an appropriate level of detail to confirm that on-Site roadways and parking facilities provide appropriate and sufficient access for emergency first responders that may be required to respond to the Site. Further details regarding roadway and parking area specifications can be addressed in the detailed development plan and/or in the context of site plan review, including coordination with local emergency first responders as may be reasonably necessary. Accordingly, the Project provides adequate access for fire-fighting equipment, police, and other emergency vehicles at the Site.
10. The gross residential density, measured over the entire tract, but exclusive of any land to be occupied by nonresidential uses or public or quasi-public institutional or recreational facilities open to the general public, does not exceed the density set forth in the underlying district and is consistent with the Comprehensive Plan. Bonus density may be considered for outstanding development as deemed appropriate by the Town Board. At full build out the Project will have 319 residential units. Density permitted as of right at the Site would allow for 335 residential units, 16 more than proposed by the Project. Indeed, this reduced density is one of the amenities offered by the Project. Notwithstanding the reduced density of the Project as compared to what is permitted as

Monday, April 18, 2022 - 23

Town of Grand Island – Regular Meeting #7

of right, this density is appropriate for the Site and is expressly contemplated by the Town's Comprehensive Plan. Specifically, the Project brings medium and high density uses to the Site, near the existing, unofficial Town Center. This increase in density in the area around the Site is explicitly called for in the Town's Comprehensive Plan. Thus, such increase in density at the Site is appropriate for the Site because it aligns with the Town's goals for the Site and vision for the overall community. Accordingly, the density proposed by the Project does not exceed the density set forth in the underlying zoning districts and is consistent with the Comprehensive Plan.

B. Design Standards

1. All buildings in the layout and design are an integral part of the development and have convenient access to and from adjacent uses and blocks. As noted above, the Project is specifically designed so that less intensive uses are located on areas of the Site that border single-family residential development, while more intensive uses are featured on portions of the Site that border existing commercial development or vacant land. This unique project design incorporates a transition buffer area between the single-family residential homes in the area around the Site and the Project itself. Moreover, the roadways featured within the Project front on existing roadways, which can maintain a sufficient level of service to accommodate any increase in traffic associated with the Project. Additionally, the Project incorporates a multi-modal path and sidewalks that will connect to the Town's existing network of sidewalks, providing sufficient pedestrian and bicycle access to the Site. Accordingly, all in the layout and design are an integral part of the development and have convenient access to and from adjacent uses and blocks, including for pedestrian, bicycle, and vehicle access.
2. Individual buildings relate to each other in design, masses, materials, placement, and connections to provide a visually and physically integrated development. As noted above, the Project is specifically designed so that less intensive uses are located on areas of the Site that border single-family residential development, while more intensive uses are featured on portions of the Site that border existing commercial development or vacant land. This unique project design incorporates a transition buffer area between the single-family residential homes in the

Monday, April 18, 2022 - 24

Town of Grand Island – Regular Meeting #7

area around the Site and the Project itself. Otherwise, buildings are laid out on the Site in an organic and harmonious way, making use of the existing topography of the site and maximizing existing natural features. This aesthetically pleasing design is one of the amenities provided by the Project. Accordingly, individual buildings relate to each other in design, masses, materials, placement, and connections to provide a visually and physically integrated development.

3. The sides and rear of all buildings within the planned development group receive comparable treatment to the treatment given to street frontage of these same buildings. The Applicants have provided façade and building design samples that show an aesthetically pleasing building design, including design treatment on all sides of the Project buildings. Further details regarding building design can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, the sides and rear of all buildings for the Project receive comparable treatment to the treatment given to street frontage of these same buildings.
4. The design of buildings and the parking facilities take advantage of the topography of the project site, where appropriate, to provide separate levels of access. The Site is relatively flat, so separate levels of access are unwarranted for the Project. Nevertheless, the Project is laid out organically throughout the Site, making use of the existing topography of the Site and maximizing existing features on the Site, including natural features such as the existing pond and the existing vegetation in the southeast corner of the Site where the nature trail will be installed. Accordingly, the design of the Project takes advantage of the topography of the Site and utilizes such topography appropriately.
5. All building walls are oriented as to ensure adequate light and air exposure to the rooms within. The Project is laid out organically throughout the Site, making use of the existing topography of the Site and maximizing existing features on the Site. This unique design shows that the Project will be laid out with sufficient separation between buildings to ensure light and air exposure within building interiors. At this stage of development, this is an

Monday, April 18, 2022 - 25

Town of Grand Island – Regular Meeting #7

appropriate level of detail to confirm that building interiors will have adequate light and air exposure. Further details regarding building interiors, including air and light exposure, can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, the Project design is oriented to ensure adequate layout and air exposure to the rooms within.

6. All buildings are arranged to avoid undue exposure to concentrated loading or parking facilities wherever possible and are oriented to preserve visual and audible privacy between adjacent buildings. The Project is laid out organically throughout the Site, making use of the existing topography of the Site and maximizing existing features on the Site. Parking is situated to be convenient to the buildings on Site and fit in with the overall Project design and aesthetics. Furthermore, the Project's unique design shows that the Project will be laid out so with sufficient separation between buildings to ensure visual and audible privacy between adjacent buildings. The Project also features ample vegetative screening, which will increase visual and audible privacy between adjacent buildings on the Site and in the surrounding area. Accordingly, the Project is arranged to avoid undue exposure to concentrated loading or parking facilities wherever possible and are oriented to preserve visual and audible privacy between adjacent buildings.

C. Landscaping Design Standards

1. Landscape treatment for plazas, roads, paths, service and parking areas is an integral part of a coordinated landscape design for the entire project area. The Project features ample landscaping, including vegetative screening between the Project and the single-family residential uses in the area around the Site, as well as decorative plantings around the pond and in the Town Center retail corridor. At this stage of development, the Applicants have provided sufficient detail demonstrating adequate planting and landscape treatment. Further details regarding landscaping can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, landscape treatment for plazas, roads, paths, service and parking areas is an integral part of a coordinated landscape design for the entire project area.

Monday, April 18, 2022 - 26

Town of Grand Island – Regular Meeting #7

2. Primary landscape treatment consists of shrubs, ground cover and street trees, and shall combine with appropriate walkways and paving surfaces to provide an attractive development pattern. Landscape materials are appropriate to the growing conditions in the Town. The Project features ample landscaping, including vegetative screening between the Project and the single-family residential uses in the area around the Site, as well as decorative plantings around the pond and in the Town Center retail corridor. At this stage of development, the Applicants have provided sufficient detail demonstrating adequate planting and landscape treatment. Further details regarding landscaping can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, landscape materials are appropriate to the Project and the growing conditions in the Town
3. Whenever appropriate, existing trees are conserved and integrated into the landscape design plan. The Site is mostly comprised of meadow and grassland and there are few trees on the Site. The largest area of existing tree growth is in an area near the southeast corner of the Site where the nature trail will be installed. Given the nature of this proposed use of the Site, the development of the nature trail will necessarily involve conservation of the existing vegetation in that area of the Site. Otherwise, the Project involves significant plantings, including tree plantings, above and beyond what is currently existing at the site. Accordingly, the Project conserves and incorporates existing trees to the extent practicable and appropriate.
4. All streets bordering the project area are planted at appropriate intervals with street trees. The Project features ample landscaping, including vegetative screening between the Project and the single-family residential uses in the area around the Site, as well as decorative plantings around the pond, the roadways on the Site, and in the Town Center retail corridor. At this stage of development, the Applicants have provided sufficient detail demonstrating adequate planting and landscape treatment. Further details regarding landscaping can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, all streets

Monday, April 18, 2022 - 27

Town of Grand Island – Regular Meeting #7

bordering the Project will be planted at appropriate intervals with street trees as necessary.

5. Landscape treatment shall comply with any SWPPP submitted in accordance with § 407-121 of this chapter. The Project will be required to obtain a State Pollution Discharge Elimination System (“SPDES”) Permit prior to construction and the Applicants have indicated their intent to obtain coverage under the General SPDES Permit for Construction activities that is maintained by NYSDEC. As part of the SPDES Permit process, the Applicants will be required to prepare a SWPPP that conforms to the requirements of the SPDES permit. The Applicants will apply for the SPDES permit and prepare an appropriate SWPPP thereunder closer in time to construction. At this stage of development, the Applicants have provided sufficient detail about erosion and sediment control and their intention to address stormwater. Further details regarding the SWPPP can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, landscape treatment will comply with any SWPPP submitted in accordance with § 407-121 of this chapter.

D. Circulation System Design Standards

1. There is adequate, safe, and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space. The Project features a new roadway running through the Site, providing access to roadways around the Site and access to on-Site parking. Parking at the site is located near the facilities that it will serve and largely conforms to the Code requirements for same. To the extent that any waiver of the Code’s parking requirements is necessary, any waiver is likely limited in scope and can be addressed in the detailed development plan and/or in the context of site plan review. Additionally, the Project incorporates a multi-modal path and sidewalks that will connect to the Town’s existing network of sidewalks, providing safe and adequate pedestrian and bicycle access to the Site. Pedestrian access is also provided via the walking path around the pond and in the nature trail in the southeast corner of the Site, both of which are specifically designed for pedestrian use and are situated away from areas designed for vehicle traffic. Accordingly, there is adequate, safe, and convenient arrangement of pedestrian circulation

Monday, April 18, 2022 - 28

Town of Grand Island – Regular Meeting #7

facilities, roadways, driveways, off-street parking and loading space.

2. Roads, pedestrian walks and open space are appropriately landscaped and relate to existing and proposed buildings. The Project features ample landscaping, including vegetative screening between the Project and the single-family residential uses in the area around the Site, as well as decorative plantings around the pond, the roadways on the Site, and in the Town Center retail corridor. At this stage of development, the Applicants have provided sufficient detail demonstrating adequate planting and landscape treatment. Further details regarding landscaping can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, roads, pedestrian walks and open space are appropriately landscaped and relate to existing and proposed buildings.
3. Buildings and vehicular circulation open spaces are arranged to prevent unnecessarily pedestrian exposure to vehicular traffic. The Project features a new roadway running through the Site, providing access to roadways around the Site and access to on-Site parking. Additionally, the Project incorporates a multi-modal path and sidewalks that will connect to the Town's existing network of sidewalks, providing safe and adequate pedestrian and bicycle access to the Site. This multi-modal path is located a safe distance from the on-Site roadway, providing sufficient separation between pedestrian, bicycle, and vehicle traffic. Pedestrian access is also provided via the walking path around the pond and in the nature trail in the southeast corner of the Site, both of which are specifically designed for pedestrian use and are situated away from areas designed for vehicle traffic. with respect to open space on the Site, these open spaces are likewise a safe distance from vehicular traffic. Indeed, each of the park spaces are located away from the on-Site roadway, including six pocket parks that are oriented around buildings on the Site rather than roadways. Accordingly, buildings and vehicular circulation open spaces are arranged to prevent unnecessarily pedestrian exposure to vehicular traffic.
4. Landscaped, paved and appropriately graded pedestrian walks are provided along the lines of the most intense use,

Monday, April 18, 2022 - 29

Town of Grand Island – Regular Meeting #7

particularly from building entrances to streets, parking areas and adjacent buildings. As noted above, the Project features a multi-modal path and sidewalks that will connect to the Town's existing network of sidewalks, providing safe and adequate pedestrian and bicycle access throughout the Site. This multi-modal path is located a safe distance from the on-Site roadway, providing sufficient separation between pedestrian, bicycle, and vehicle traffic. Pedestrian access is also provided via the walking path around the pond and in the nature trail in the southeast corner of the Site, both of which are specifically designed for pedestrian use and are situated away from areas designed for vehicle traffic. Accordingly, landscaped, paved and appropriately graded pedestrian walks are provided along the lines of the most intense use, particularly from building entrances to streets, parking areas and adjacent buildings.

E. Parking and Loading Design Standards

1. Parking facilities shall be landscaped and screened from public view. The Project features ample landscaping, including vegetative screening between the Project and the single-family residential uses in the area around the Site, as well as decorative plantings around the pond and in the Town Center retail corridor. At this stage of development, the Applicants have provided sufficient detail demonstrating adequate planting and landscape treatment. Further details regarding landscaping can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, the Project's parking facilities will be landscaped and screened from public view.
2. Pedestrian walkways are provided between parking areas and buildings. As noted above, the Project features a multi-modal path and sidewalks that will connect to the Town's existing network of sidewalks, providing safe and adequate pedestrian and bicycle access throughout the Site. This multi-modal path is located a safe distance from the on-Site roadway, providing sufficient separation between pedestrian, bicycle, and vehicle traffic. Pedestrian access is also provided via the walking path around the pond and in the nature trail in the southeast corner of the Site, both of which are specifically designed for pedestrian use and are situated away from areas designed for vehicle traffic. This extensive pedestrian

Monday, April 18, 2022 - 30

Town of Grand Island – Regular Meeting #7

access connects throughout the Site, including the parking areas on the Site. Accordingly, pedestrian walkways are provided between parking areas and buildings.

3. Parking facilities shall be designed with careful regard to orderly arrangement, topography, landscaping, ease of access, and stormwater pollution prevention, and shall be developed as an integral part of an overall site design. The Project is laid out organically throughout the Site, making use of the existing topography of the Site and maximizing existing features on the Site, including natural features such as the existing pond and the existing vegetation in the southeast corner of the Site where the nature trail will be installed. Within this aesthetically pleasing and harmonious design, parking is incorporated near areas that it is designed to serve. Landscaping is incorporated throughout the Site to provide appropriate visual screening as necessary and to enhance and improve the appearance of the Site, including landscaping near parking areas and in the Town Center retail corridor. Additionally, as noted above, the Applicants will be required to prepare a SWPPP that conforms to the requirements of the SPDES permit, which will include stormwater considerations related to the on-Site parking. The Applicants will apply for the SPDES permit and prepare an appropriate SWPPP thereunder closer in time to construction. At this stage of development, the Applicants have provided sufficient detail about erosion and sediment control and their intention to address stormwater. Further details regarding the SWPPP can be addressed in the detailed development plan and/or in the context of site plan review. Accordingly, parking facilities will be designed with careful regard to orderly arrangement, topography, landscaping, ease of access, and stormwater pollution prevention, and are an integral part of an overall site design.
4. Any above-grade loading facilities shall be screened from public view to the extent necessary to eliminate unsightliness. The Project features ample landscaping, including vegetative screening between the Project and the single-family residential uses in the area around the Site, as well as decorative plantings around the pond and in the Town Center retail corridor. At this stage of development, the Applicants have provided sufficient detail demonstrating adequate planting and landscape treatment. Further details regarding landscaping can be

Monday, April 18, 2022 - 31

Town of Grand Island – Regular Meeting #7

addressed in the detailed development plan and/or in the context of site plan review. Accordingly, above-grade loading facilities will be screened from public view to the extent necessary to eliminate unsightliness.

Section 2. The attached Local Law Intro. No. 6 of 2021 is hereby adopted and the Code of the Town of Grand Island and zoning map adopted thereunder is hereby amended to create Planned Development District No. 4.

Section 3. This resolution is subject to the conditions as set forth in the attached Local Law Intro. No. 6 of 2021.

Section 4. This Resolution is effective immediately.

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

1. **Southpointe PDD, Love Road and Baseline Road – Preliminary Plat – Subdivision “A”/40 Lot Subdivision – Set Public Hearing**
2. **Southpointe PDD, Carl Road at Beaver Island Parkway – Preliminary Plat – Subdivision “B”/44 Lot Subdivision – Set Public Hearing**
3. **Southpointe PDD, Glen Avon and Staley Road – Preliminary Plat – Subdivision “C”/1 Lot Subdivision – Set Public Hearing**
4. **Southpointe PDD, Staley Road (Frontage) – Preliminary Plat – Subdivision “D”/19 Lot Subdivision – Set Public Hearing**
5. **Southpointe PDD, Baseline Road South of Staley Road – Preliminary Plat – Subdivision “E”/1 Lot Subdivision – Set Public Hearing**

A motion was made by Councilman Bahleda, seconded by Councilman Marston to set a Public Hearing for Monday, May 2, 2022, at 8:00p.m. to hear anyone who wants to comment on Southpointe PDD – Preliminary Plat for Subdivision Phases A, B, C, D, E.

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

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL: **Local Law Intro #1 of 2022 – Amend Chapter 407 of the Town Code – Accessory Uses and Structures**

- A. **Declare Intent for Lead Agency Under SEQR and Authorize Engineering Department to Circulate the Lead Agency Petition**
- B. **Authorize Engineering Department to Submit the County Referral**
- C. **Set Public Hearing**
- D. **Correspondence – Planning Board**

A motion was made by Councilman Marston, seconded by Councilman Digati to declare intent for Lead Agency under SEQR and authorize the Engineering Department to circulate the Lead Agency Petition.

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

Town of Grand Island – Regular Meeting #7

A motion was made by Councilman Marston, seconded by Councilman Digati to authorize the Engineering Department to submit the County referral.

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

A motion was made by Councilman Bahleda, seconded by Councilman Digati to set a Public Hearing for Monday, May 2, 2022, at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #1 of 2022 – Amend Chapter 407 of the Town Code – Accessory Uses and Structures and incorporate the Planning Board's recommendations into the Draft Law.

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

Water Treatment Plant Intake – Cleaning & Inspection

Town Engineer Robert Westfall reported that the Water Treatment Plant Intake requires cleaning and inspection annually. The Town requested quotes from the four companies that perform that type of work and received the following:

Finger Lakes Industrial Contracting Corp.	\$ 11,780.00
BIDCO Marine Group	\$ 12,400.00
Hunt Underwater Specialties, LLC	\$ 14,499.99
Allen Marine	\$ 15,200.00

After careful review, Mr. Westfall requests the Town Board authorize the low bidder – Finger Lakes Industrial Contracting Corp. to perform the Intake cleaning and inspection in the amount of \$ 11,780.00.

A motion was made by Councilman Digati, seconded by Councilman Madigan to award the bid to Finger Lakes Industrial Contracting Corp. to perform the Intake cleaning and inspection in the amount of \$ 11,780.00.

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

Authorize Supervisor to Sign Professional Services Agreement – Golden Age Center HVAC Upgrades – Job # M-240

At the request of the Town Engineer, the matter was removed from the meeting agenda.

RECREATION SUPERVISOR – JOSEPH MENTER:

Approve 2022 Community Center Rental Agreement

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the 2022 Community Center Rental Agreement.

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

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Glenn Wallace, 917 North Colony Road – Bed & Breakfast

Town of Grand Island – Regular Meeting #7

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to renew the Special Use Permit for Glenn Wallace, 917 North Colony Road – Bed & Breakfast. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Arlene Clarke, 3059 Second Avenue – Home Occupation/Barber Shop

A motion was made by Councilman Marston, seconded by Councilman Madigan to renew the Special Use Permit for Arlene Clarke, 3059 Second Avenue – Home Occupation/Barber Shop. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Northpoint Vantage, 2420 Love Road – Home Occupation, Embroidery, Silk Screening, Fabric & Sports Apparel

A motion was made by Councilman Marston, seconded by Councilman Madigan to renew the Special Use Permit for Northpoint Vantage, 2420 Love Road – Home Occupation, Embroidery, Silk Screening, Fabric & Sports Apparel. The site has been inspected and it is unchanged.

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

Special Use Permit Application – Back Hills Farm Corp., 126 Industrial Drive – Allow Grazing Sheep on the Solar Site – Refer to Planning Board and Set Public Hearing

Speakers: Dennis Bauman

A motion was made by Councilman Madigan, seconded by Councilman Marston to refer the Special Use Permit Application – Back Hills Farm Corp., 126 Industrial Drive – Allow Grazing Sheep on the Solar Site to Planning Board and Set Public Hearing for Monday, May 16, 2022, at 8:00p.m. to hear anyone who wants to comment on the matter.

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

Special Use Permit Application- Back Hills Farm Corp., 2411 Bedell Road – Allow Grazing Sheep on the Solar Site – Refer to Planning Board and Set Public Hearing

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to refer the Special Use Permit Application – Back Hills Farm Corp., 2411 Bedell Road – Allow Grazing Sheep on the Solar Site to Planning Board and Set Public Hearing for Monday, May 16, 2022, at 8:00p.m. to hear anyone who wants to comment on the matter.

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

Time of Sales Infiltration Inspections

Monday, April 18, 2022 - 34

Town of Grand Island – Regular Meeting #7

A motion was made by Councilman Marston, seconded by Councilman Digati to table the correspondence regarding the Time of Sales Infiltration Inspections.

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

PARKS MAINTENANCE CREW CHIEF – TOM CECERE:

Status Changes/New Hires

A motion was made by Councilman Digati, seconded by Councilman Marston to approve the following status changes and hires, with hires subject to the completion of the necessary pre-employment paperwork. Note: “Approved” rate of pay column will apply if the proposed rate schedule is approved by the Town Board.

Name	Title	Effective Date	Part Time	Rate of Pay	
Richard Dworak	Seasonal Crew Chief	May 2 nd , 2022	Status Change to Parks Crew Chief	\$36.06	
Name	Title	Effective Date	Part Time	Rate of Pay	APPROVED Rate
Linda Tufillaro	Laborer PT/Gardener	May 1 st , 2022	PART TIME	\$15.00	\$15.75
Linda Tufillaro	Laborer /Gardener	May 16 th ,2022	SEASONAL	\$15.00	\$15.75
Bonnie Weiser	Laborer PT/Gardener	May 1 st ,2022	PART TIME	\$15.00	\$15.75
Bonnie Weiser	Laborer /Gardener	May 16 th ,2022	SEASONAL	\$15.00	\$15.75
Thomas Cecere	Laborer/ Parks Jr Crew Chief	May 9 th ,2022	SEASONAL	\$16.65	\$17.05
Ryan Costolnick	Laborer/Parks General Worker	May 9 th , 2022	SEASONAL	\$13.95	\$15.25
Frank DePalma	Laborer /Parks Jr Worker	April 18 th , 2022	SEASONAL	\$15.00	\$15.90
Nicholas Falbo	Laborer / Parks Jr Crew Chief	May 16 th , 2022	SEASONAL	\$16.00	\$16.70
Joseph Pappano	Laborer/Parks Jr Worker	May 23 rd , 2022	SEASONAL	\$15.00	\$16.10
Sean Pufpaff	Laborer/Parks Jr Crew Chief	April 18 th , 2022	SEASONAL	\$16.65	\$17.05
Evan Smith	Laborer PT/Parks General Worker	May 2 nd , 2022	PART TIME	\$13.20	\$15.00
Evan Smith	Laborer / Parks General Worker	June 6 th , 2022	SEASONAL	\$13.20	\$15.00

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

PLANNING BOARD:

Triple S Development, LLC – Site Plan Approval – Retail Facility, SBL #51.10-1-40.11, 1815 Love Road

Speakers: Deanna Hyche

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for Triple S Development, LLC – Site Plan Approval – Retail Facility, SBL #51.10-1-40.11, 1815 Love Road. 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 Marston, seconded by Councilman Digati to issue a Negative Declaration for Triple S Development, LLC – Site Plan Approval – Retail Facility, SBL #51.10-1-40.11, 1815 Love Road.

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

Monday, April 18, 2022 - 35

Town of Grand Island – Regular Meeting #7

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the recommendation of the Planning Board and grant conditional Site Plan approval for Triple S Development, LLC – Retail Facility, SBL #51.10-1-40.11, 1815 Love Road, subject to the Zoning Board of Appeals granting a variance for side yard setbacks.

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

Island Pet Lodge, 2120 Alvin Road – Site Plan – Proposed Kennel Addition

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for the Island Pet Lodge, 2120 Alvin Road – Site Plan – Proposed Kennel Addition. 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 the Island Pet Lodge, 2120 Alvin Road – Site Plan – Proposed Kennel Addition.

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

A motion was made by Councilman Digati, seconded by Councilman Bahleda to accept the recommendation of the Planning Board and grant Site Plan Approval for Island Pet Lodge, 2120 Alvin Road – Proposed Kennel Addition

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

Grand Island Sunrise LLC, 871 Whitehaven Road – Type 3 Solar Generation Project – Site Plan and Special Use Permit Application

A motion was made by Councilman Madigan, seconded by Councilman Marston to set a Public Hearing for Monday, May 16, 2022, at 8:00p.m. to hear anyone who wants to comment on Grand Island Sunrise LLC, 871 Whitehaven Road – Type 3 Solar Generation Project – Site Plan and Special Use Permit Application.

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

David Mazur, Long Road and Grand Island Boulevard, SBL #:11.00-1-8 – Site Plan Approval – Multi-Tenant Commercial Facility

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to table the request of David Mazur, Long Road and Grand Island Boulevard, SBL #:11.00-1-8 – Site Plan Approval – Multi-Tenant Commercial Facility, pending SEQR.

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

Local Law Intro #11 of 2021 – Rezoning Portion of SBL #38.11-2-6.11, Whitehaven Road – B-1 to R-2

A motion was made by Councilman Madigan, seconded by Councilman Marston to refer Local Law Intro #11 of 2021 – Rezoning Portion of SBL #38.11-2-6.11, Whitehaven Road – B-1 to R-2 to the Long Range Planning Committee, including Mr. Buerk's written

Monday, April 18, 2022 - 36

Town of Grand Island – Regular Meeting #7

comments from the Public Comments and set a Public Hearing for Monday, May 2, 2022 at 8:00p.m. to hear anyone who wants to comment on the matter.

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

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Digati, seconded by Councilman Bahleda to pay

Vouchers #137983 - #138060

General	\$ 61,151.91
Highway	\$ 2,911.59
Sewer	\$ 68,141.84
Water	<u>\$ 2,037.36</u>
Total	\$134,242.70

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

SUSPEND THE RULES:

Parks/Recreation/Highway Part-Time/Seasonal Salary Schedule

A motion was made by Councilman Digati, seconded by Councilman Bahleda to Suspend the Rules to consider approving an updated Parks/Recreation/Highway Part-Time/Seasonal Salary Schedule.

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

A motion was made by Councilman Madigan, seconded by Councilman Marston to adopt the updated Parks/Recreation/Highway Part-Time/Seasonal Salary Schedule as follows:

TOWN OF GRAND ISLAND			
PART TIME/SEASONAL SALARY SCHEDULE			
2022			
	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
Parks General Worker	\$15.00	\$15.25	\$15.50
Recreation Aide	\$13.75	\$14.00	\$14.25
Recreation Leader	\$14.00	\$14.25	\$14.50
Parks Jr Worker	\$15.70	\$15.90	\$16.10
Gardener	\$15.25	\$15.50	\$15.75
Parks Sr Worker	\$16.25	\$16.50	\$16.75
Recreation Instructor			
Laborer- Hwy/WW/W			
Parks Jr Crew Chief	\$16.50	\$16.70	\$17.05
Parks Sr Crew Chief	\$17.20	\$17.45	\$17.70

Parks Mechanic, Life Guard, WNY Swim Instructor, Highway Driver-PT, Engineering Aide

Monday, April 18, 2022 - 37

and Program Instructor proposed to stay the same as proposed for 2022.

Noes 0

Speakers: None

Noes 0

Bradley Lansberry	Francis Vollmer
Ellen DiLaura	Elsie Stamler
Gilbert DeLong, Jr.	Henry Webb
Thomas Lepenven	William Whitford
David Zelonis	

Monday, April 18, 2022 - 38