



3. RESOLUTION 2020-383

Call for Public Hearing - 6386 Transit Road

Sponsored By: Councilmember Pilarski, Supervisor Benczkowski

WHEREAS, Sean Hopkins, Esq. representing Young Development, Inc., has made application and requested the rezoning of 6386 Transit Road. There are several portions of this parcel that seeks different rezoning. The proposed Grocery Store Lot seeks rezoning from R-Residential and NS-Neighborhood Service to C-Retail Business District (2.27 acres). The first proposed Restaurant Lot seeks rezoning from R-Residential and NS-Neighborhood Service to C-Retail Business District (0.90 acres). The second proposed Restaurant Lot seeks rezoning from R-Residential and NS-Neighborhood Service to C-Retail Business District (1.10 acres). And finally the proposed Apartment Lot seeks rezoning from R-Residence District and NS-Neighborhood Service District to RA-Apartment District (28.84 acres)., NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on November 24th, 2020 at 7:00P.M., via Virtual Town Board Meeting



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York via Virtual Meeting on the 24th day of November, 2020 at 7:00 o'clock P.M., of said day for the purpose of considering the application of:

Young Development, Inc. c/o Sean Hopkins, Esq.
Re: Proposed Rezoning/Development Mixed Use Project

Since the Town is under a State of Emergency in which public gatherings are not possible, the Town will plan to hold a Virtual Public Hearing, on November 24th, 2020 at 7:00 P.M. All persons wishing to provide oral comments, will be required to register to do so by Noon (12:00 P.M.) on November 19th, 2020. Registration emails should be sent to the Cheektowaga Town Clerk, townclerkwebmail@tocny.org and should include the participants full name, physical address, email address, and phone number. The Town Clerk will confirm receipt of the participant's registration with the access link to provide comments. Anyone wishing to provide written comments; please email townclerkwebmail@tocny.org they will be added to the record and provided to the Board members for review prior to the hearing.

NOTWITHSTANDING THE FOREGOING, THE FORMAT OF THE PUBLIC HEARING IS SUBJECT TO CHANGE, DEPENDING UPON LEGAL REQUIREMENTS EXISTING AT THE TIME OF THE HEARING ON NOVEMBER 24th, 2020. IT MAY BE DETERMINED THAT THE HEARING WILL BE HELD IN-PERSON AT TOWN HALL, 3301 BROADWAY, CHEEKTOWAGA, NEW YORK. INTERESTED PERSONS SHOULD CONSULT THE TOWN WEBSITE (www.tocny.org) FOR MORE INFORMATION REGARDING THE FORMAT OF THE HEARING PRIOR TO THE DATE THEREOF.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Kimberly A. Burst

TOWN CLERK

LEGAL DESCRIPTION

PROPOSED GROCERY STORE LOT

(2.27 Acres)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 75, Township 11 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the westerly line of Transit Road (100 feet wide) as appropriated by the People of the State of New York under Liber 6235 of Deeds at page 37 (Map 63, Parcel 69), distant 35.00 feet northerly from its intersection with the southerly line of lands conveyed to Lorenz & Sons, Inc. by deed recorded in the Erie County Clerk's Office in Liber 8461 of Deeds at page 343 as measured along said westerly line of Transit Road, said point of beginning being the northeast corner of lands conveyed to R.M.F Holding Corporation by deed recorded in said Clerk's Office in Liber 11254 of Deeds at page 6429;

RUNNING THENCE N 88°47'24" W along the northerly line of said lands conveyed to R.M.F. Holding Corporation, a distance of 199.99 feet to the northwest corner thereof;

THENCE S 00°10'00" W along the westerly line of said lands conveyed to R.M.F. Holding Corporation, a distance of 35.00 feet to the southwest corner thereof, said point being on a line established by Boundary Line Agreement between R.M.F. Holding Corporation and Lorenz & Sons, Inc. and filed in said Clerk's Office in Liber 11245 of Deeds at page 3880;

THENCE N 88°47'24" W along said line as established by agreement aforesaid, a distance of 135.06 feet to a point;

THENCE N 00°09'00" E, a distance of 312.84 feet to a point;

THENCE S 89°51'00" E, a distance of 335.08 feet to a point on said westerly line of Transit Road;

THENCE S 00°10'00" W along said westerly line of Transit Road, a distance of 284.04 feet to the point of beginning.

Said parcel containing an area of 2.27 acres, more or less.

PROPOSED RESTAURANT LOT

(0.90 Acres)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 75, Township 11 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the westerly line of Transit Road (100 feet wide) as appropriated by the People of the State of New York under Liber 6235 of Deeds at page 37 (Map 63, Parcel 69), distant 319.04 feet northerly from its intersection with the southerly line of lands conveyed to Lorenz & Sons, Inc. by deed recorded in the Erie County Clerk's Office in Liber 8461 of Deeds at page 343 as measured along said westerly line of Transit Road;

RUNNING THENCE N 89°51'00" W, a distance of 335.08 feet to a point;

THENCE N 00°09'00" E, a distance of 26.06 feet to a point;

THENCE S 89°50'52" E, a distance of 60.00 feet to a point;

THENCE S 89°53'22" E, a distance of 274.94 feet to a point on said westerly line of Transit Road;

THENCE S 00°07'00" W along said westerly line of Transit Road, a distance of 53.30 feet to an angle point;

THENCE S 00°10'00" W along said westerly line of Transit Road, a distance of 83.16 feet to the point of beginning.

Said parcel containing an area of 0.90 acres, more or less.

PROPOSED RESTAURANT LOT

(1.10 Acres)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 75, Township 11 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the westerly line of Transit Road (100 feet wide) as appropriated by the People of the State of New York under Liber 6235 of Deeds at page 37 (Map 63, Parcel 69), distant 455.50 feet northerly from its intersection with the southerly line of lands conveyed to Lorenz & Sons, Inc. by deed recorded in the Erie County Clerk's Office in Liber 8461 of Deeds at page 343 as measured along said westerly line of Transit Road;

RUNNING THENCE N 89°53'22" W, a distance of 274.94 feet to a point;

THENCE N 00°09'00" E, a distance of 160.34 feet to a point;

THENCE S 89°53'00" E, a distance of 274.98 feet to a point on said westerly line of Transit Road;

THENCE S 00°07'00" W along said westerly line of Transit Road, a distance of 160.31 feet to the point of beginning.

Said parcel containing an area of 1.10 acres, more or less.

PROPOSED APARTMENT LOT

(28.84 Acres)

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 75, Township 11 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point on the westerly line of Transit Road (100 feet wide) as appropriated by the People of the State of New York under Liber 6235 of Deeds at page 37 (Map 63, Parcel 69), at the southeast corner of lands conveyed to R.M.F Holding Corporation by deed recorded in the Erie County Clerk's Office in Liber 11254 of Deeds at page 6429, said point being on a line established by Boundary Line Agreement between R.M.F. Holding Corporation and Lorenz & Sons, Inc. and filed in said Clerk's Office in Liber 11245 of Deeds at page 3880;

RUNNING THENCE N 88°47'24" W along said line as established by agreement aforesaid, a distance of 335.05 feet to the TRUE POINT OF BEGINNING;

CONTINUING THENCE N 88°47'24" W along said line as established by agreement aforesaid, a distance of 746.73 feet to a point on the westerly line of lands conveyed to Lorenz & Sons, Inc. by deed recorded in said Clerk's Office in Liber 8461 of Deeds at page 343;

THENCE N 00°06'51" E along said westerly line of lands conveyed to Lorenz & Sons, Inc., a distance of 1541.10 record and 1555.25 measured to the northwest corner thereof;

THENCE S 88°58'59" E along the northerly line of said lands conveyed to Lorenz & Sons, Inc., a distance of 198.90 feet to the northwest corner of lands conveyed to Susan R. Hillman and Gary M. Hillman by deed recorded in said Clerk's Office in Liber 11086 of Deeds at page 1899;

THENCE S 00°07'00" W along the westerly line of said lands conveyed to Hillman, a distance of 200.00 feet to the southwest corner thereof, said point being on a westerly prolongation of the northerly line of Cloverleaf Drive as conveyed to the Town of Cheektowaga by deed recorded in said Clerk's Office in Liber 6624 of Deeds at page 463;

THENCE S 88°58'59" E along said northerly line of Cloverleaf Drive extended, a distance of 87.48 feet to the northwest corner of Cloverleaf Drive as monumented and occupied;

THENCE S 01°01'01" W along the westerly line of Cloverleaf Drive as monumented and occupied, a distance of 60.00 feet to a point on a westerly prolongation of the southerly line of Cloverleaf Drive as conveyed to the Town of Cheektowaga by deed recorded in said Clerk's Office in Liber 6624 of Deeds at page 463;

THENCE S 88°58'59" E along said southerly line of Cloverleaf Drive extended, and continuing along the southerly line of Cloverleaf Drive as conveyed to the Town of Cheektowaga by Liber 6624 of Deeds at page 463, Liber 6273 of Deeds at page 494 and Liber 6241 of Deeds at page 577, a distance of 646.46 feet to the northwest corner of lands conveyed to Adolph S. Trznadel by deed recorded in said Clerk's Office in Liber 6273 of Deeds at page 108;

THENCE S 00°07'00" W along the west line of said lands conveyed to Trznadel, a distance of 100.00 feet to the southwest corner thereof;

THENCE S 88°58'59" E along the southerly line of said lands conveyed to Trznadel, a distance of 150.00 feet to said westerly line of Transit Road;

THENCE S 00°07'00" W along said westerly line of Transit Road, a distance of 583.08 feet to a point;

THENCE N 89°53'00" W, a distance of 274.98 feet to a point;

THENCE S 00°09'00" W, a distance of 270.55 feet to a point;

THENCE N 89°50'52" W, a distance of 60.00 feet to a point;

THENCE S 00°09'00" W, a distance of 338.90 feet to the TRUE POINT OF BEGINNING.

Said parcel containing an area of 28.84 acres, more or less.

Attachments:
Rezoning Map (PDF)
C-100 101520 (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Pilarski, Councilmember
SECONDER:	Diane Benczkowski, Supervisor
AYES:	Adamczyk, Hammer, Kaminski, Nowak, Pilarski, Rusiniak, Benczkowski