5. RESOLUTION 2023-234

Call for Public Hearing / District Rezone / 0 Transit (SBL 114.02-10-16 & 114.02-10-17)

Sponsored By: Councilmember Nowak, Councilmember Adamczyk

WHEREAS, Sean Hopkins, Esq., on behalf of West Herr Automotive Group, Inc. has requested that portions of 0 Transit, Cheektowaga, NY 14043 (SBLs 114.02-10-16 & 114.02-10-17) be rezoned from the current district designations of R-Residential and NS-Neighborhood Service, into MS- Motor Services for the purpose of establishing an new automotive dealership, AND

WHEREAS, under the provisions of Local Town Law of Cheektowaga, zoning district changes shall be heard before the public prior to a determination given by the Town Board of Cheektowaga, AND

NOW, THEREFORE BE IT RESOLVED, that a public hearing is to be held regarding the aforementioned zoning district change as per the dictation under the Town of Cheektowaga Local Law on May 9th, 2023 at 7:00 PM EST in the Council Chambers at Cheektowaga Town Hall, 3301 Broadway, New York, 14227 in the County of Erie.

LEGAL DESCRIPTION

PROPERTY TO BE REZONED FROM NS NEIGHBORHOOD SERVICE DISTRICT TO MS MOTOR SERVICE DISTRICT:

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 67, Township 11, Range 7 of the Holland Land Company's Survey further described as follows:

BEGINNING at a point on the west line of Transit Road as a 100' wide roadway distant 703.00 feet northerly from its intersection with the north line of Strasmer Road;

THENCE westerly and parallel with Strasmer Road a distance of 384.00 feet to a point;

THENCE northerly and parallel with Transit Road a distance of 501.00 feet to a point;

THENCE easterly and parallel with Strasmer Road a distance of384.00 feet to the west line of Transit Road;

THENCE southerly along the west line of Transit Road a distance of 501.00 feet to the point of beginning containing 4.42 acres of land more or less.

PROPERTY TO BE REZONED FROM R RESIDENTIAL DISTRICT TO MS MOTOR SERVICE DISTRICT:

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 67, Township 11, Range 7 of the Holland Land Company's Survey further described as follows:

COMMENCING at a point on the west line of Transit Road as a 100' wide roadway distant 703.00 feet northerly from its intersection with the north line of Strasmer Road;

THENCE westerly and parallel with Strasmer Road a distance of 384.00 feet to the true POINT OF BEGINNING;

THENCE continuing westerly and parallel with Strasmer Road a distance of 390.0 feet to a point;

THENCE northerly and parallel with Transit Road a distance of 501.00 feet to a point;

THENCE easterly and parallel with Strasmer Road a distance of 390.00 feet to a point;

THENCE southerly parallel to the west line of Transit Road a distance of 501.00 feet to the point of beginning containing 4.49 acres of land more or less.

Attachments:
23-01-26_0 Transit Rd_Rezone Application & Supporting Documentation (PDF)
23-01-26_0 Transit Rd_Drawings_Survey, Rezone, & Concept (PDF)
Revised Concept Site Plan-rezoning exhibit 9-09-22 (PDF)
23-01-26_0 Transit Rd_Wetland Delineation Report (PDF)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Nowak, Councilmember
SECONDER:	Christine Adamczyk, Councilmember
AYES:	Adamczyk, Hammer, Jasinski, Kaminski, Nowak, Pilarski
ABSENT:	Diane Benczkowski