



## 7. RESOLUTION 2023-394

### Call for Public Hearing / Site Plan & Special Use Permit / 2715-2725 Union Road (113.16-2-19.21)

**Sponsored By:** Councilmember Nowak, Councilmember Adamczyk

WHEREAS, Sean Hopkins, Esq., on behalf of Splash Holdings CC LLC, has requested Site Plan and Special Use Permit review for automotive vehicle wash station with a project area located within portions of 2715 & 2725 Union, Cheektowaga, NY 14227 (SBL 113.16-2-19.21), AND

WHEREAS, under the provisions of Local Town Law of Cheektowaga, prior to deciding vote by the Town Board, these actions shall be heard before the public prior to a determination given by the Town Board of Cheektowaga, AND

WHEREAS, under resolution 2023-299, this proposal was issued a Negative Declaration determination by the Town Board for the Environmental Assessment, a required review under NYS-SEQRA, AND

WHEREAS, under resolution 2023-300, this proposal was granted approval by the Town Board to change zoning districts from CM-General Commercial to MS-Motor Service under the conditions that the following automotive uses be not permitted as-of-right, of which include the following:

- Motor Fuel Dispensing Station (Open to and for use by the Public)
- Motor Vehicle and Trailer Repair Facilities
- Collision Shop
- Used Automobile Sales Facility

NOW, THEREFORE BE IT RESOLVED, that a public hearing is to be held regarding the aforementioned actions under review as per the dictation under the Town of Cheektowaga Local Law on July 25<sup>th</sup>, 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

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 64, Township 10, Range 7 of the Buffalo Creek Reservation bounded and described as follows.

BEGINNING at the point of the intersection of the northerly line of Lot 64 with the east line of Union Road being the east line of lands appropriated by the State of New York, Map No.80, Parcel No.90, recorded in the Erie County Clerk's Office in Liber 7130 of deeds, page 562;

THENCE S 87°06'01" E along the north line of Lot 64, also being the north line of lands conveyed to David M. Gordon by deeds recorded in Liber 11063, page 805 and Liber 10081, page 162 a distance of 252.53 feet to a point;

THENCE thru said lands conveyed to David M. Gordon, recorded in the Erie County Clerk's Office in Liber 10081 of deeds, page 162 the following two (2) courses and distances:

- 1. S 00°32'03" W, a distance of 164.10 feet to a point;
- 2. N 87°07'24" W, a distance of 254.33 feet to a point in the east line of Union Road being the east line of lands appropriated by the State of New York, Map No.79, Parcel No.89;

THENCE N 01°09'58" E continuing along the east line of Union Road a distance of 164.22 feet to the Point of Beginning.

Attachments:

23-07-05\_2715 & 2725 Union\_Splash Car Wash\_OG Drawing-Civil Set CC (PDF)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Brian Nowak, Councilmember
<b>SECONDER:</b>	Christine Adamczyk, Councilmember
<b>AYES:</b>	Benczkowski, Adamczyk, Hammer, Jasinski, Nowak
<b>ABSENT:</b>	Gerald Kaminski, Brian Pilarski