

# Town of Grand Island – Regular Meeting #10

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 3<sup>rd</sup> of June 2024.

Present:	Peter J. Marston	Supervisor
	Thomas A. Digati	Councilman
	Christian J. Bahleda	Councilman
	Daniel F. Kilmer	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor Peter J. Marston called the meeting to order at 8:00p.m.  
Pastor Matt Pfeil from Cornerstone Church gave the Invocation.  
Councilman Thomas A. Digati led the Pledge of Allegiance.

## **PUBLIC COMMENTS:**

This is an opportunity for residents to comment on any matter regarding the meeting agenda items only.

*Speakers:* Cathy Rayhill

## **PUBLIC HEARINGS:**

### **Golfside (Golfview) Development Rezoning, Local Law Intro #1 of 2023 – Rezoning SBL #38.11-2-6.11, Whitehaven Road – R-2/B1 to R-2 with PDD Overlay**

A Public Hearing was held on Monday June 3, 2024, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on

*Speakers:* Sean Hopkins, Paul Koppmann, Mike Madigan, Peggy Koppman, Cathy Rayhill, Bobbie Cushing, John Chin, Jennifer Chin, Joe LaLonde, Anthony Mazurkiewicz

Supervisor Marston declared the Public Hearing closed.

A motion was made by Councilman Bahleda, seconded by Councilman Digati to refer Golfside (Golfview) Development Rezoning, Local Law Intro #1 of 2023 – Rezoning SBL #38.11-2-6.11, Whitehaven Road – R-2/B1 to R-2 with PDD Overlay to the Town Board.

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

### **Local Law Intro #4 of 2024 – Commercial Business District Moratorium**

A Public Hearing was held on Monday, June 3, 2024, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on

*Speakers:* Mike Madigan, Cathy Rayhill

Supervisor Marston declared the Public Hearing closed.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to refer Local Law Intro #4 of 2024 – Commercial Business District Moratorium to the Town Board.

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

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## **MINUTES:**

A motion was made by Councilman Digati, seconded by Councilman Kilmer to approve Minutes of Workshop Meeting #21, May 15, 2024, and Minutes of Workshop Meeting #22, May 20, 2024, and Regular Meeting #9, May 20, 2024.

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

## **CONSENT AGENDA:**

1. Meeting Minutes – Board of Architectural Review – April 16, 2024

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

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

## **COMMUNICATIONS – TOWN BOARD:**

### **SUPERVISOR – PETER J. MARSTON:**

#### **Monthly Supervisor’s Report – April 2024**

The Supervisor reported Cash Balance-Operating A/C of \$18,167,448 on April 1, 2024

Total Receipts of \$1,076,983

Total Disbursements of \$1,594,928

Operating A/C Interest \$13,541

Operating A/C Balance \$2,990,487

Investment Interest \$50,042

Investment Balance \$17,640,609

Total Cash Balance as of April 30, 2024, \$20,631,096

No action by the Town Board.

#### **Special Event Permit – KidBiz Young Entrepreneur Program**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the Special Event Permit for the Grand Island Chamber of Commerce KidBiz Young Entrepreneur Program on Saturday, June 15, 2024. Whitehaven Road from Grand Island Blvd. to Baseline will be closed to traffic from 8:00a.m. -10:00a.m. The Town will produce paperwork for road closure permit, provide barricades, police coverage, picnic benches (6), garbage cans (15) and removal of the garbage.

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

## **COMMUNICATIONS – OTHER TOWN OFFICIALS:**

### **TOWN ATTORNEY – PETER GODFREY:**

#### **Newman Properties Inc. – Local Law Intro #9 of 2023 – Rezoning SBL #24.15-3-8.1, Ransom Road – B-3 to R-1D and R3 and B1 for Proposed Housing Project – Readopt Local Law #3 of 2024**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to readopt Local Law Intro #9 of 2023 as Local Law #3 of 2024, and subject to Recreation Fees):

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

## Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that SBL #:24.15-3-8.1, Ransom Road, shall be and hereby is rezoned from B-3 to R-1D and R-3 and B-1

### WHICH PREMISES ARE DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION - PROPERTY TO BE REZONED FROM B-3 TO R-3 - 8.513+ Acres

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie, State of New York, and being part of Lot 94, bounded and described as follows:

COMMENCING AT A POINT on the centerline of Stony Point Road (said centerline of Stony Point Road being also the west line of Lot 94) at a distance of 333.00 feet northerly measured along said centerline from its intersection with the centerline of Ransom Road;

RUNNING THENCE: S-89°-58'-00"-E, a distance of 193.00 feet to the Point or Place of Beginning of the parcel herein described;

RUNNING THENCE: N-00°-02'-00"-E, parallel with the west line of Lot 94, a distance of 480.00 feet to a point on the easterly projection of the south line of Subdivision Lot 87 as shown on a map of Ransom Estates, Part 6 as filed in the Erie County Clerk's Office under Map Cover 2384;

RUNNING THENCE: S-89°-58'-00"-E, along the easterly projection of the south line of said Lot 87, a distance of 210.00 feet to a point;

RUNNING THENCE: S-70°-19'-18"-E, a distance of 671.30 feet to a point;

RUNNING THENCE: S-00°-11'-55"-E, a distance of 137.12 feet to the northeast corner of lands conveyed to Parkland Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11089 of Deeds at Page 4749;

RUNNING THENCE: S-89°-48'-05"-W, parallel with the north line of Ransom Road and along the north line of said Parkland Properties, LLC lands, a distance of 211.20 feet to the northwest corner thereof;

RUNNING THENCE: S-00°-11'-55"-E, along the west line of said Parkland Properties, LLC lands, a distance of 236.0 feet to a point;

RUNNING THENCE: S-89°-48'-05"-W, parallel with the north line of Ransom Road, a distance of 472.53 feet to a point;

RUNNING THENCE: N-00°-02'-00"-E, parallel with the centerline of Stony Point Road, a distance of 60.93 feet to a point;

RUNNING THENCE: S-89°-48'-05"-W, parallel with the north line of Ransom Road, a distance of 90.00 feet to a point on the east line of lands conveyed to 1441 Ransom Holdings, Inc. by deed recorded in the Erie County Clerk's Office in Liber 11176 of Deeds at Page 8445;

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RUNNING THENCE: N-00°-02'-00"-E, parallel with the centerline of Stony Point Road and along the east line of said 1441 Ransom Holdings, Inc. lands extended northerly, a distance of 61.00 feet to a point;

RUNNING THENCE: N-89°-58'-00"-W, a distance of 70.00 feet to the POINT OR PLACE OF BEGINNING, containing 8.513 acres, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

BEING AND INTENDED TO BE a portion of lands conveyed to 1441 Ransom Road LLC by deed recorded in the Erie County Clerk's Office in Liber 11364 of Deeds at Page 7487.

### **LEGAL DESCRIPTION – PROPERTY TO BE REZONED FROM B-3 TO B-1 – 0.456+ ACRES**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie, State of New York, and being part of Lot 94, bounded and described as follows:

BEGINNING AT A POINT on the north line of Ransom Road at the southeast corner of lands conveyed to 1441 Ransom Holdings, Inc. by deed recorded in the Erie County Clerk's Office in Liber 11176 of Deeds at Page 8445;

RUNNING THENCE: N-00°-02'-00"-E, parallel with the centerline of Stony Point Road and along the east line of said 1441 Ransom Holdings, Inc. lands, a distance of 220.93 feet to a point;

RUNNING THENCE: N-89°-48'-05"-E, parallel with the north line of Ransom Road, a distance of 90.00 feet to a point;

RUNNING THENCE: S-00°-02'-00"-W, parallel with the centerline of Stony Point Road, a distance of 220.93 feet to a point on the north line of Ransom Road;

RUNNING THENCE: S-89°-48'-05"-W, along the north line of Ransom Road, a distance of 90.00 feet to the POINT OR PLACE OF BEGINNING, containing 0.456 acre, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

BEING AND INTENDED TO BE a portion of lands conveyed to 1441 Ransom Road LLC by deed recorded in the Erie County Clerk's Office in Liber 11364 of Deeds at Page 7487.

### **LEGAL DESCRIPTION – PROPERTY TO BE REZONED FROM B-3 TO B-1 – 0.136+ ACRES**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie, State of New York, and being part of Lot 94, bounded and described as follows:

BEGINNING AT A POINT on the centerline of Stony Point Road (said centerline of Stony Point Road being also the west line of Lot 94) at a distance of 310.0 feet northerly, measured along said centerline from its intersection with the centerline of Ransom Road, said point also being the northwest corner of lands conveyed to 1441 Ransom Holdings, Inc. by deed recorded in the Erie County Clerk's Office in Liber 11176 of Deeds at Page 8445;

RUNNING THENCE: N-00°-02'-00"-E, along the centerline of Stony Point Road (being also the west line of Lot 94), a distance of 23.0 feet to a point;

RUNNING THENCE: S-89°-58'-00"-E, a distance of 263.00 feet to a point;

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RUNNING THENCE: S-00°-02'-00"-W, parallel with the centerline of Stony Point Road, a distance of

21.93 feet to the northeast corner of said 1441 Ransom Holdings, Inc. lands;

RUNNING THENCE: S-89°-48'-05"-W, parallel with the north line of Ransom Road and along the north line of said 1441 Ransom Holdings, Inc. lands, a distance of 263.0 feet to the POINT OR PLACE OF BEGINNING, containing 0.136 acre, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

SUBJECT TO the rights of the public in and to that portion of the above-described premises lying within the bounds of Stony Point Road.

BEING AND INTENDED TO BE a portion of lands conveyed to 1441 Ransom Road LLC by deed recorded in the Erie County Clerk's Office in Liber 11364 of Deeds at Page 7487.

### **LEGAL DESCRIPTION – PROPERTY TO BE REZONED FROM B-3 TO R-1D – 1.737 ACRES**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie, State

of New York, and being part of Lot 94, bounded and described as follows:

BEGINNING AT A POINT on the north line of Ransom Road where it intersects the west line of lands conveyed to Parkland Properties, LLC by deed recorded in the Erie County Clerk's Office in Liber 11089 of Deeds at Page 4749;

RUNNING THENCE: S-89°-48'-05"-W, along the north line of Ransom Road, a distance of 473.18 feet to a point;

RUNNING THENCE: N-00°-02'-00"-E, a distance of 160.00 feet to a point;

RUNNING THENCE: N-89°-48'-05"-E, parallel with the north line of Ransom Road, a distance of 472.53 feet to the west line of said Parkland Properties, LLC lands;

RUNNING THENCE: S-00°-11'-55"-E, along the west line of said Parkland Properties, LLC lands, a distance of 160.00 feet to the POINT OR PLACE OF BEGINNING, containing 1.737 acres, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

BEING AND INTENDED TO BE a portion of lands conveyed to 1441 Ransom Road LLC by deed recorded in the Erie County Clerk's Office in Liber 11364 of Deeds at Page 7487.

### **LEGAL DESCRIPTION – PROPERTY OF BE REZONED FROM B-3 TO R-1D – 2.127 ACRES**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie, State of New York, and being part of Lot 94, bounded and described as follows:

BEGINNING AT A POINT on the centerline of Stony Point Road (said centerline of Stony Point Road being also the west line of Lot 94) at a distance of 333.00 feet northerly, measured along said centerline from its intersection with the centerline of Ransom Road;

RUNNING THENCE: N-00°-02'-00"-E, along the centerline of Stony Point Road (being also the west line of Lot 94), a distance of 480.00 feet to a point on a

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westerly projection of the south line of Subdivision Lot 87 as shown on a map of Ransom Estates, Part 6 as filed in the Erie County Clerk's Office under Map Cover 2384;

RUNNING THENCE: S-89°-58'-00"-E, in part along the south line of said Lot 87 and an easterly and westerly projection of said south line of Lot 87, a distance of 193.00 feet to a point;

RUNNING THENCE: S-00°-02'-00"-W, parallel with the west line of Lot 94, a distance of 480.00 feet to a point;

RUNNING THENCE: N-89°-58'-00"-W, a distance of 193.00 feet to the POINT OR PLACE OF BEGINNING, containing 2.127 acres, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

SUBJECT TO the rights of the public in and to that portion of the above-described premises lying within the bounds of Stony Point Road.

BEING AND INTENDED TO BE a portion of lands conveyed to 1441 Ransom Road LLC by deed recorded in the Erie County Clerk's Office in Liber 11364 of Deeds at Page 7487.

Section II. Conditions. The rezoning is subject to the following conditions.

1. The maximum allowed density of the residential project on the Project Site shall consist of nine (9) lots for single-family homes and ninety (90) multifamily units.
2. The residential use of the portion of the Project Site with frontage on Ransom Road shall be limited to five (5) lots for single-family homes and with frontage on Stony Point Road shall be limited to four (4) lots for single-family homes.
3. There shall be berms with landscaping located directly behind the lots for single-family homes to be located along Ransom Road and Stony Point Road.
4. The Project Sponsor shall be required to make the necessary financial contribution for offsite traffic improvements at the intersection of Stony Point Road and Ransom Road including the installation of a traffic signal as requested by the Erie County Department of Public Works in its comment letter to the Town of Grand Island dated February 16, 2024.
5. The approximately 0.52-acre wetland located subject to the jurisdiction of the United States Army Corps of Engineers ("USACE") per the Jurisdictional Determination issued on January 24, 2024, shall remain undeveloped.
6. The off-site roadway improvements consisting of the installation of a traffic signal at the intersection of Ransom Road and Stony Point Road and a right-hand northbound turn lane on Stony Point Road shall be completed prior to the issuance of a Certificate of Occupancy for the multifamily buildings.
7. Conditions No. 1 to 6 shall be subject to a Declaration of Restrictions to be recorded at the Erie County Clerk's Office.

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Section III. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

## **REPORT OF THE AUDIT COMMITTEE:**

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

Vouchers #145409 - #145524  
General \$ 88,260.48  
Highway \$ 47,787.43  
Sewer \$ 41,655.12  
Water \$ 15,695.06  
Capital \$ 33,945.37  
Garbage \$152,431.64  
Total \$379,775.11

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

## **UNFINISHED BUSINESS:**

### **Award Contract for Professional Services – Town Wide Reassessment Project**

Remains Tabled.

### **Historic Preservation Advisory Board – Award Contract – Historic Buildings and Sites Survey**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to financially support the RFP for a Historic Survey on Grand Island up to \$10,000.00. The Historic Preservation Advisory Board is seeking outside funding for this project with the understanding that all grants are to be managed by the Town of Grand Island.

APPROVED Ayes 4 Digati, Bahleda, Kilmer, Marston  
Noes 0

## **PUBLIC COMMENTS:**

This is an opportunity for residents to comment on any matter regarding Town government on any subject.

Speakers: John Chin, Paul Koppmann, Cathy Rayhill

## **FROM THE BOARD:**

- Memorial Day Service
  - Relay for Life Event
  - Flag Day – June 14
  - Golfside (Golfview) Development
  - Thanks to Grand Island Fire Company Volunteers
- 
- Father’s Day Lawnmower Race – June 16<sup>th</sup> West River Parkway
  - GISBA – Car Show – June 26 – High School Parking Lot

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- ½ Marathon
- Go Bills!

### **ADJOURNMENT:**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to adjourn the meeting at 9:17p.m.

APPROVED    Ayes    4            Digati, Bahleda, Kilmer, Marston  
                      Noes    0

A moment of silence was observed in memory of the following:

Jerome Kozlowski	Lawrence Goulet
Arthur Rehard	Mary Ann Arsenault
Donald Kutzbach	Margaret Lew
June Licence	Barbara Zafuto

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk

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