

-----

TOWN OF DUNKIRK, NEW YORK  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
FEBRUARY 25, 2021 AT 6 P.M.

IN RE: ROM Real Estate Holdings, LLC and  
SRM Real Estate Holdings, LLC  
5630 West Lake Road, Fredonia,  
Petitioner.

-----

Town of DUNKIRK ZONING  
BOARD OF APPEALS, being taken pursuant to  
Public Notice, conducted in the Town Hall, 4737  
Willow Road, New York 14068, taken on FEBRUARY  
25, 2021 commencing at 6:04 p.m. Before DARLENE  
L. JERGE, Notary Public.

1     ZONING BOARD MEMBERS:

2     CHAIRMAN SCOTT PAGANO  
3     MEMBER THOMAS TARNOWSKI  
4     MEMBER ESTELLE HARPER  
5     MEMBER MICHAEL MILLER

6     ALSO PRESENT:

7     SUPERVISOR PUROL.  
8     COUNCILMAN JUAN PAGANO  
9     DEPUTY CLERK COUGHLIN

10    CHAIRMAN PAGANO : All right. Okay. Town of  
11    Zoning Board of Appeals call the public  
12    hearing and meeting to go order at 6:04  
13    p.m.

14           Kyle, can you take roll call, please?

15    DEPUTY CLERK COUGHLIN: Chairman Pagano?

16    CHAIRMAN PAGANO : Here.

17    DEPUTY CLERK COUGHLIN: Member Tarnowski?

18    MEMBER TARNOWSKI: Here.

19    DEPUTY CLERK COUGHLIN: Member Harper?

20    MEMBER HARPER: Here.

21    DEPUTY CLERK COUGHLIN: Member Miller?

22    MEMBER MILLER: Here.

23    CHAIRMAN PAGANO : Okay. Notice is hereby given  
that the Town of Dunkirk Zoning Board of

1 Appeals has scheduled a Zoning Board  
2 hearing at 6 p.m. on 25th day of February  
3 2021 at the Town Hall, 4737 Willow Road to  
4 consider the following appeal:

5 Petitioner, ROM Real Estate Holdings,  
6 LLC and SRM Real Estate Holdings, LLC of  
7 5630 West Lake Road, Fredonia, are  
8 requesting a use variance and area  
9 variance of additional building height of  
10 20 feet, the maximum building height in  
11 that zoning district being 40 feet. This  
12 variance is for a freezer warehouse  
13 facility. The petitioners are requesting  
14 these variances for property located on  
15 Section 96.02, Block 2, Lot 1 and Section  
16 96.02, Block 2, Lot 2.1 of the Chautauqua  
17 County map in the C-1 Tourism Commercial  
18 district. This is in violation of Article  
19 VI, Section 41, maximum building height;  
20 and Section 36, permitted uses and  
21 structures.

22 All interested persons shall be heard  
23 at said special meeting via electronic

1 means due to the New York PAUSE  
2 limitations. Login information will be  
3 published on the Town's website at least 5  
4 days before the hearing. Residents are  
5 also encouraged to send written comments  
6 to the Town Clerk via e-mail or by mail to  
7 4737 Willow Road, Dunkirk, New York 14048  
8 to Kyle, secretary to the zoning board.

9 Did we receive any legal notices of  
10 the hearing, Kyle, besides the County  
11 Planning Department.

12 DEPUTY CLERK COUGHLIN: No, the County Planning  
13 Department is the only one who responded.  
14 The DOT didn't respond, but that's nothing  
15 unusual.

16 CHAIRMAN PAGANO : Okay. Is Jimmy Crowell by  
17 chance in the building?

18 SUPERVISOR PUROL: No, he's not.

19 CHAIRMAN PAGANO : Okay. Dick, should I read  
20 that County Planning and Development  
21 letter.

22 SUPERVISOR PUROL: Sure.

23 CHAIRMAN PAGANO : Okay. It's dated February

1 25th, 2021. Addressed to myself, Scott  
2 Pagano, Zoning Board Chair, Town of  
3 Dunkirk, 4737 Willow Road, Dunkirk, New  
4 York in regards to the municipal zoning  
5 referral Number 2021-09 area and use  
6 variance 96.02-2-1 of West Williams  
7 Street.

8 Dear Chairman Pagano, this letter is  
9 in response in your municipal zoning  
10 referral received in full by this office  
11 on February 23, 2021 regarding an area and  
12 use variance approval for a freezer  
13 warehouse located on West Williams Street,  
14 tax parcel 96.02-2-1. This parcel is  
15 located in the C-1 zoning district. As  
16 one of the designated staff to the  
17 Chautauqua County Planning Board, I have  
18 reviewed the above noted referral. With  
19 regard to General Municipal law 239-m,  
20 this proposal is subject to a referral to  
21 the County since it is within 500 feet of  
22 the municipal boundary with the City of  
23 Dunkirk.

1 I have reviewed the pertinent  
2 inter-community and country-wide  
3 considerations with respect to this  
4 proposal and its effect on the relevant  
5 concerns that are listed under General  
6 Municipal Law 239-1. Based on this  
7 review, I find that the proposed action  
8 would have no significant county-wide or  
9 inter-community impact and the proposal  
10 would be a matter of local concern.

11 However, to assist the Town with its  
12 decision, I offer the following informal  
13 comments. And it goes through, use  
14 variances should be granted only in  
15 strictly controlled, occasional  
16 circumstances and when an unnecessary  
17 hardship is demonstrated. The formal  
18 criteria for granting a use variance were  
19 set forth by New York State Court of  
20 Appeals in Otto versus Steinhilber. New  
21 York State codified those criteria into  
22 the Town Law 267-b, which states -- and it  
23 goes on to be hardships and stuff of the

1 variance.

2 On the end here it says, if you have  
3 any questions regarding this matter,  
4 please contact our office, gives a phone  
5 number, respectfully submitted, Matthew  
6 bourke, Junior Planner. And it was copied  
7 to Supervisor Purol and Jim Crowell, Code  
8 Enforcement officer.

9 So with that said, Ryan, would you  
10 like to speak on behalf or who wants to  
11 speak on behalf of the zoning request.

12 RYAN MAUER: Scott, if it's okay with you, I'm  
13 just gonna open up with a real quick  
14 statement and I'll let the gentlemen that  
15 want to bring this to fruition to speak  
16 upon it and answer any questions and go  
17 from there.

18 What I presented tonight and is I  
19 presented a master use variance and I'm  
20 asking for an area use variance for the  
21 height, use variance for the use. The two  
22 properties here in question I've acquired  
23 and been working on acquiring for several

1 years. One of them I've had for -- I've  
2 been under contract with for over five  
3 years. During the process I've incurred  
4 an awful lot of expenses trying to get  
5 this property going, clearing and getting  
6 it ready. And unfortunately I've had  
7 three different potential sales come  
8 across this property that have fallen  
9 through. Recently one was relocated to  
10 another part of the town. One was a  
11 municipality and one was a local  
12 organization.

13 Not having any luck on that part of it  
14 and during this I've been getting  
15 reoccurring costs annually on taxes and  
16 utilities -- not utilities, taxes and  
17 minor utilities which are landscaping and  
18 brushhogging. And I've submitted to you  
19 guys some of my expenses. And so I'm  
20 asking you guys to consider the approval  
21 of the use variance based on the fact that  
22 this property -- forces this property for  
23 over five years and I just can't get a

1 reasonable return on it at this point.  
2 The other opportunities have fallen to the  
3 side. The gentlemen here have come to  
4 offer up the opportunity to attain all of  
5 it and to provide some good paying jobs to  
6 our area. And that's all I have.

7 SUPERVISOR PUROL: Okay.

8 CHAIRMAN PAGANO : Okay.

9 MARK AUER: Good evening everyone. For the  
10 record my name is Mark Auer, that's  
11 spelled A-U-E-R. I am a senior director  
12 of engineering for Americold, based in  
13 Atlanta, Georgia. For the purposes of  
14 this meeting, we'd like to keep that as  
15 quiet as possible. We'd like it not to  
16 get out into the public record if we can  
17 avoid it because we are performing our due  
18 diligence activities associated with this  
19 parcel.

20 Should this height variance for the  
21 rezoning not be accepted, we will not be  
22 coming to the area on this property. So,  
23 that's why I'm here tonight, I'm here

1 representing Americold and to answer any  
2 questions. With respect to jobs, this new  
3 facility will provide sixty full time  
4 positions. Thirty-eight of those would be  
5 referred to as direct employees that would  
6 actually be operating in the warehouse,  
7 and the balance would be indirect  
8 employees which would be supervisors and  
9 administrative level employees. They pay  
10 a fair market base wage. Larry?

11 LARRY LENTARO: Name is Larry Lantero, I'm with  
12 United Insulated Structure Corporation.  
13 We've been retained by Americold to do all  
14 the design, engineering and construction  
15 for this project. We're based out of  
16 Chicago. We've been in business for  
17 fifty-five years and this is what we do.  
18 We're kind of one stop shopping for food  
19 processing and freezer warehouses and  
20 that's what this. This is a minus 20  
21 degree freezer warehouse with high power  
22 storage up to a clear height of about 53  
23 feet, which is why we need the variance to

1 go to sixty feet. That's the design  
2 standard for all of these types of  
3 facilities now across the country.

4 The main warehouse area will be  
5 maintained at a temperature of minus 20  
6 degrees, primarily for the storage of ice  
7 cream. And then the dock and repack areas  
8 on the front of the building would be  
9 maintained either thirty-five degrees or  
10 zero degrees in the staging areas. The  
11 dock is about seventy feet deep and then  
12 the freezer behind it is about 264 feet  
13 deep, as planned right now.

14 This isn't exactly how the building  
15 looks, this is another facility we did for  
16 Americold at another location but  
17 conceptually it's the same. It's sixty  
18 feet tall to the top of the roof at the  
19 high point and at the dock, which you can  
20 see how the roof kind of steps down here.  
21 The top of the dock roof is about 34 feet.  
22 That will be the side facing Arrowhead  
23 Road. So the tall end of the building

1 will be back by the railroad tracks.

2 All the refrigeration equipment is  
3 located up on the roof. This is a one  
4 hundred percent freon refrigeration  
5 system, there will be no ammonia in this  
6 plant whatsoever, so no hazardous gas on  
7 this project at all. I think we're gonna  
8 have a total of nine dock doors to start  
9 with, but we've made provisions to expand  
10 that out to about I think it's seven more.

11 MARK AUER: Fifteen total.

12 LARRY LANTERO: Fifteen total. I'll show you  
13 the site plan. So the phase one  
14 construction is gonna be 182 thousand  
15 square feet, just slightly under. That's  
16 gonna consist of the freezer warehouse,  
17 the dock, the repack areas and then an  
18 employee welfare support area, that  
19 consists of their break rooms, lockerrooms  
20 and administrative offices.

21 This section of the welfare building  
22 that's gonna be 2 stories in height. The  
23 east wall of the building is where all the

1 dock doors are going to be located. A lot  
2 of these shapes you see on here now will  
3 not be part of phase one, that will be  
4 future. So you're just going to have the  
5 seven that we show here now and two here  
6 now. They'll be 2 more future and three  
7 more future here.

8 We've also made provisions for phase  
9 two expansion. Phase two expansion is  
10 anticipated to be somewhere around 121  
11 thousand square feet; carbon copy probably  
12 of what you see here. The phase two  
13 expansion, one of the big differences  
14 between phase one and phase two, is that  
15 the client has asked us to make provisions  
16 for a rail spur, which is one of the  
17 reasons why we have to have the back of  
18 the building along the main line of the  
19 railroad. So, we made a provision here to  
20 put a switch in at some point down the  
21 road when we proceed with phase two, so  
22 they can actually install a rail spur that  
23 will come off the main line and be able to

1           serve the phase two building.

2           It will not serve phase one, but it  
3           will serve phase two. We're also  
4           acquiring the eight acre parcel across the  
5           street. Right now there's no immediate  
6           plans to develop that. Would you agree,  
7           Mark?

8   MARK AUER: Other than potentially  
9           straightening the elbow at Arrowhead  
10          Drive.

11   LARRY LANTERO: We're thinking about that,  
12          which I think would work well for  
13          everyone, but right now we're gonna buy it  
14          but we don't have any plans to develop it  
15          and I'm not sure what those plans would be  
16          in the future. Any questions, I'm more  
17          than happy to try to answer them.

18   CHAIRMAN PAGANO : Any board members have  
19          questions?

20   MEMBER TARNOWSKI: He answered one about the  
21          rail line. I was just thinking, could you  
22          flip that line and not have the trucks  
23          next to the house, but you answered that.

1 LARRY LANTERO: We looked at doing that because  
2 we wanted to get this kind of hidden, and  
3 the problem is we can't get a big enough  
4 radius to make a circle and come back  
5 here, if you follow what I'm saying. We  
6 looked at turning the building and even  
7 that even that, even mif the building was  
8 turned facing Williams, even that the  
9 radius was just too big to get back to the  
10 rail dock.

11 MEMBER TARNOWSKI: Right. Okay.

12 LARRY LANTERO: Any other questions?

13 SUPERVISOR PUROL: Are you still going to have  
14 that roadway going around the whole  
15 perimeter?

16 LARRY LANTERO: The fire lane?

17 SUPERVISOR PUROL: Yes.

18 LARRY LANTERO: Yes. This would be the master  
19 plan for the entire build-out of the  
20 facility. I think what we're gonna now is  
21 put the fire lane up to here and then  
22 we're paving it -- we're actually going to  
23 change this layout slightly. We're going

1 to pave more of it for truck parking and  
2 eliminate some of these trailers that you  
3 see right up along arrowhead.

4 MARK AUER: Create a green buffer there.

5 LARRY LANTERO: The green buffer here will be  
6 much bigger than what we're showing on the  
7 drawings. It's gonna be like 30, 40 feet.  
8 But because we don't want to build the  
9 fire lane down here to tie it in, we'd  
10 like to stop it there. But you'll still  
11 have -- we'll have a hydrant here, a  
12 hydrant here so the firefighting  
13 department will still have access to all  
14 four sides.

15 MEMBER TARNOWSKI: You're stopping it because  
16 of possibly phase 2?

17 LARRY LANTERO: We don't want to put a road in  
18 here and tear it out in a year or two.

19 MEMBER TARNOWSKI: No, the green buffer was my  
20 next question too.

21 LARRY LANTERO: The other thing I want to point  
22 out that we're gonna do, is right now as  
23 you may know, I'm sure you might know,

1       there's a new water main that's been  
2       installed down Chadwick Way, it comes all  
3       the way up to the railroad tracks and then  
4       it goes under the railroad tracks and then  
5       I think it ties into the City of Dunkirk's  
6       water system, and then it returns up here.  
7       And I can't remember what the name of this  
8       street --

9       MEMBER TARNOWSKI:   Arrowhead Drive?

10      SUPERVISOR PUROL:   I don't think it has a name  
11      to tell you the truth.

12      LARRY LANTERO:   That's where they tie it back  
13      in, so what we're gonna do is we're gonna  
14      tie into that water main that was just  
15      installed over by the railroad tracks  
16      where you cross under, and we're gonna  
17      loop all the way around our building and  
18      bring it down Arrowhead to tie in again  
19      over on this apartment building side.  So  
20      we'll have a water loop that will even  
21      help to improve your water pressure and  
22      water will come into the building in two  
23      directions.

1 SUPERVISOR PUROL: Okay. I was wondering how  
2 we were gonna do that because technically  
3 where that yellow box is over here on  
4 arrowhead, that's where the meter pit is,  
5 that's where it's being metered. So if  
6 you're gonna hook in by the tracks over  
7 there, we'll have to sub meter that  
8 somehow. I don't know any other way to do  
9 it, because otherwise the water would be  
10 going back into the city.

11 LARRY LANTERO: We're envisioning having a  
12 meter here where there's that building.

13 MEMBER MILLER: Are you gonna -- in phase one,  
14 are you gonna put all water retention  
15 ponds in.

16 LARRY LANTERO: We're gonna put in the ponds  
17 required for phase one. One of the issues  
18 with the site, we don't have confirmation  
19 right now, but from based on a visual  
20 observation which, you know, is slightly  
21 hampered with what's on the ground right  
22 now, there seems to be some wetlands in  
23 this area.

1           So this plan is probably going to get  
2           changed. We're gonna take this pond and  
3           we're going to relocate some of it over  
4           here, as much as we can without  
5           interfering with that gas line. And then  
6           we'll also probably have some in this area  
7           here. If we need anything more than that,  
8           we're gonna actually take this pond and  
9           shift it to the north where future phase  
10          two is, because I think this is gonna be  
11          delineated as a wetland area. And if it  
12          is, we're going have to apply for a  
13          mitigation permit with the Corps of  
14          Engineers, and that can be anywhere from  
15          12 to 18 month process and so we're just  
16          going to avoid that for now.

17       MEMBER MILLER: But by engineering standards,  
18               there will be adequate retention.

19       LARRY LANTERO: Absolutely, one hundred  
20               percent. There will be zero increase in  
21               the rate of run-off than what's there  
22               today. Does that answer your question?

23       MEMBER MILLER: Yes.

1 MEMBER TARNOWSKI: How close would that berm be  
2 next to that Arrowhead Drive there? You  
3 got a fence there, too, don't you?

4 LARRY LANTERO: I apologize, the drawing hasn't  
5 been updated yet. Right now the building  
6 is moving 20 feet to the east and we're  
7 going to eliminate 55 feet of paving. So  
8 right here I think we have a little bit  
9 over seventeen feet right now. So, if we  
10 eliminate -- if we move it 20 --

11 MARK AUER: To 35 --

12 LARRY LANTERO: To 35, plus 17 is 52 feet at  
13 this end, and at this end it's 7 feet, so  
14 you'd be -- so 52 to 42. You know, don't  
15 hold me to that, it might be 48 --

16 MEMBER TARNOWSKI: I know this isn't pertaining  
17 to the building, but how many trucks do  
18 you believe is gonna use that per day?

19 MARK AUER: We're planning on 68 to 72 trailer  
20 staging locations. And the average  
21 traffic in-bound and out-bound average is  
22 just under 30 trucks a day. So somewhere  
23 between call it 54 and 60 trucks total on

1           average at peak. This is an ice cream  
2           freezer, ice cream is a seasonal product  
3           and you have a peak season in the warm  
4           months. We may see as many as 76 trucks a  
5           day. So about --

6   MEMBER TARNOWSKI: Is that through the night  
7           hours too or --

8   MARK AUER: 24 hours a day.

9   MEMBER TARNOWSKI: Is that road big enough?  
10           You gonna have to widen that one street?  
11           You think that's gonna handle all that  
12           trucking.

13   LARRY LANTERO: Williams?

14   MEMBER TARNOWSKI: You're gonna run it down six  
15           feet into Williams, correct?

16   CHAIRMAN PAGANO : I was just gonna ask him  
17           that.

18   MEMBER TARNOWSKI: What's that, Scott?

19   CHAIRMAN PAGANO : I was just gonna ask that.  
20           That's a good question. Go ahead.

21   LARRY LANTERO: Our engineers are still  
22           investigating that right now. We engaged  
23           Greenman Peterson out of Jamestown as our

1 civil engineers. And what they've been  
2 told so far is that that's rated for truck  
3 traffic.

4 MEMBER TARNOWSKI: Okay.

5 LARRY TARNOWSKI: When they design a street for  
6 truck traffic, there's varying degrees of  
7 design but certainly it should be able to  
8 accommodate somewhere between 70 and a  
9 hundred trucks a day.

10 MEMBER TARNOWSKI: That's a busy road Route 60  
11 there. And are there plans for any kind  
12 of street lights or stop signs or --

13 MARK AUER: We have just started a conversation  
14 of signalization of Highway 60 and  
15 Williams, but there's been no commitment  
16 or any confirmation from anyone yet that  
17 we can signalize that intersection. So,  
18 it's something we have to investigate  
19 further.

20 MEMBER TARNOWSKI: It's tough to get out of  
21 William Street and make a left to get on  
22 60 to go back to the ice cream plant.

23 MARK AUER: Yes, sir.

1 MEMBER TARNOWSKI: Especially with two, three  
2 trucks lined up there, it's gonna be  
3 terrible.

4 MARK AUER: I made that turn in my rental car  
5 today and Larry and I talked about that  
6 very issue earlier.

7 MEMBER TARNOWSKI: It would be great to see a  
8 light there.

9 SENATOR BORRELLO: Just if I could jump in and  
10 say, we had this discussion when I looked  
11 at these plans originally. And certainly  
12 I think the DOT will be certainly open to  
13 that discussion. Every time I've had a  
14 discussion about Route 60 with them,  
15 safety is our number one concern. So with  
16 this type of development especially, I  
17 think we could certainly have a productive  
18 conversation with DOT. I would certainly  
19 advocate for that.

20 SUPERVISOR PUROL: We've tried before, but we  
21 aren't very lucky.

22 MEMBER TARNOWSKI: Just on that one corner,  
23 we've been through the fire department and

1 all that, and you add some trucks there,  
2 you know how long trucks take and they  
3 want to be sure and they're waiting and  
4 waiting, then you pull out and you got a  
5 50 foot trailer. So, it would be great if  
6 we could get a light there.

7 SENATOR BORRELLO: Like I said, it's certainly  
8 number one concern is safety and they'll  
9 understand the impact of something like  
10 this.

11 MEMBER MILLER: That's where you come in  
12 Mr. Borrello. I did some research, I'm  
13 just going to share it with the board  
14 members. I didn't know these gentlemen  
15 would be here in person.

16 The average height of cold storage,  
17 and this is all Googled material, correct  
18 me if I'm wrong, is 40 to 60 feet or  
19 higher. Some warehouses have seen as much  
20 as 145 feet. Americold I believe holds  
21 the second ranking in cold storage in the  
22 states; twenty-nine percent that's what I  
23 got roughly.

1 MARK AUER: We have in excess of 180 facilities  
2 across the United States. Our global  
3 network is in excess of 280 facilities  
4 globablly. We are the world's largest  
5 publically held industrial reape. And our  
6 competition, we go back and forth with  
7 whose the biggest on any given date.

8 MEMBER MILLER: Here is another fact that I  
9 looked up, it says that they project an  
10 additional 75 to a hundred million square  
11 feet needed in the next five years.

12 MARK AUER: Cold storage country wide, yes.

13 MEMBER MILLER: Because it's not only food  
14 products, it's biopharmaceuticals and  
15 other items. So this is a -- UIFC also  
16 gives a good rating. Top notch gentlemen  
17 here, top notch companies, big project.  
18 It's definitely -- I mean, before there  
19 was one coming in, the Roberts Road  
20 warehouse, I don't know what the  
21 specifications were on that one at the  
22 time it was projected for this piece of  
23 property, but it was approved before, I

1 believe. So, it's the future, it's  
2 inevitable.

3 MEMBER TARNOWSKI: Especially with a big  
4 employer like an ice cream plant, it's  
5 really taking off.

6 MEMBER MILLER: Directly between them and the  
7 Thruway.

8 RYAN MAUER: I'm sure somebody else in the room  
9 could talk, but I don't think ice cream  
10 plant has ever been so strong. I don't  
11 think it's been this strong in my tenure  
12 of paying attention.

13 BRIAN ARDILLO: Brian Ardillo, for the record.  
14 I am with the local manufacturing company  
15 that is in conjunction with this project.  
16 And being a resident of the area, some of  
17 you may recognize me. But this  
18 organization is literally I think you've  
19 seen it, invested a lot of financials to  
20 do two things. One, produce a quality  
21 product in an ice cream factory that has  
22 been around for many years. And it's  
23 making this factory world class. And with

1 world class comes productivity.

2 You see billboards around the area,  
3 looking for employment. It's a great,  
4 great thing for this community. And being  
5 a part of such an increase in employment  
6 for the ice cream facility itself and with  
7 the opportunity to expand, as a hub for  
8 distribution of its products for the east  
9 coast. So it's a great opportunity for  
10 us.

11 SENATOR BORRELLO: Let me jump in if it's okay.

12 I just want to talk a little bit about the  
13 big picture of development in our area and  
14 where we are. You know, this pandemic has  
15 created a lot of problems. And one of the  
16 problems is we've lost jobs and we're kind  
17 of having to restart from I think we had a  
18 lot of momentum previously. So, as a  
19 result there's a lot of competition for  
20 new jobs, new developments across the  
21 country.

22 But what are we good at here in this  
23 area? We're good at agriculture, we're

1 good at food processing. Well, food  
2 processing requires storage, cold storage.  
3 We have wells, a huge company that's based  
4 in the Midwest that's in the ice cream  
5 business that does extremely well. So,  
6 what do we need? We need to ensure that  
7 this can company can continue to grow here  
8 and logistically they're going to need  
9 frozen storage.

10 So, if we want to ensure that we're  
11 able to have Wells continue on here and be  
12 productive, this is a strategic move for  
13 that. But it also shows that we are  
14 capable of being a logistical center for  
15 food processing and storage. That's what  
16 we do here. Everybody in the country has  
17 a piece of blank property that they can  
18 put an amazon warehouse, everybody wants  
19 an Amazon warehouse.

20 But not everybody has what we have  
21 here when comes to our abilities, our  
22 history, when it comes to food processing,  
23 storage and logistics being right off the

1 Thruway. So, this, this is in our wheel  
2 house in my opinion and I think that is  
3 critically important when we talk about  
4 going forward, having to worry about  
5 changes in the economy, things like this  
6 pandemic. What's going to make a large  
7 company like Wells look here and say, what  
8 do we have there that we don't have  
9 anywhere else?

10 This is a big piece of that puzzle.  
11 And that's why from my standpoint it's  
12 critically important that we make sure  
13 this happens. And I'll do whatever I can  
14 in my role when it comes to things like  
15 the traffic light or whatever other  
16 obstacles we may face. But this shows to  
17 Wells who has factories across the country  
18 that we're committed to ensuring that they  
19 have what they need to remain here for a  
20 long period of time.

21 That's why I'm here tonight because I  
22 wanted to share my thoughts and opinions  
23 on how this will have a positive impact on

1 the area. On top of the jobs, it's also  
2 going to help secure the future, I  
3 believe, for manufacturing in our area  
4 which I think is critically important. So  
5 thank you.

6 CHAIRMAN PAGANO : Okay. Anybody else in the  
7 room want to make a comment or ask a  
8 question?

9 MEMBER MILLER: Yeah, I do. According to  
10 zoning law it's very difficult to give a  
11 use variance. Area variance, height, they  
12 say not to go a certain percentage but you  
13 still have that gray area where we can  
14 make that decision. The problem I have --  
15 the only problem I have with this project  
16 is basically on the empty lot we have no  
17 plans, we have no -- how do we control as  
18 a zoning board what's coming in there if  
19 we approve a use and an area variance?

20 MARK AUER: The only thing I can envision we  
21 would use that real estate for would be a  
22 trailer staging lot. That's the only  
23 thing I can see us using that for.

1 MEMBER MILLER: Would you feel comfortable  
2 purchasing it without the variance?  
3 RYAN MAUER: Are you talking about the 8 acre  
4 parcel?  
5 MARK AUER: Talking about the 8 acre parcel?  
6 MEMBER MILLER: Yes.  
7 MARK AUER: If we can still use it for a future  
8 trailer staging lot under the current zone  
9 requirements, then I would say yes. I  
10 don't see us building a warehouse there.  
11 LARRY LANTERO: I don't think you can use it  
12 under the existing C-1 zoning as a parking  
13 lot.  
14 MEMBER MILLER: No, it would require another  
15 variance.  
16 MARK AUER: I mean, could it be entertained as  
17 a future variance?  
18 MEMBER MILLER: Yeah.  
19 MEMBER TARNOWSKI: Yes.  
20 MARK AUER: Well, if you could guys would  
21 entertain it as a future variance, I think  
22 we could work with that.  
23 MEMBER MILLER: I very much want this project

1 to go through, but according to statute we  
2 are limited to what we are supposed to  
3 grant.

4 MARK AUER: Okay.

5 LARRY LANTERO: Can you approve it as a parking  
6 lot?

7 RYAN MAUER: Ryan Mauer, if you could consider  
8 it for -- to allow them to be able to have  
9 an extension to their business there.  
10 Maybe it's not a sixty foot tall building,  
11 but it might be parking, it could be an  
12 office building.

13 MEMBER TARNOWSKI: I was thinking office  
14 buildings, would be perfect for office  
15 buildings.

16 RYAN MAUER: But he might need over flow for  
17 trailers more than anything.

18 MARK AUER: Our office is really a relatively  
19 small component of this facility. It's  
20 rather compact space.

21 LARRY LANTERO: I don't think you would have  
22 any objection to getting approval that  
23 would prohibit you from building a

1 warehouse on that, but they would want to  
2 be able to have the ability to build a  
3 staging lot subject to the provisions,  
4 whether it has to be --

5 MARK AUER: Based on what we know now and the  
6 future expansion plan of phase two, the  
7 warehouse continuing on the larger parcel,  
8 I would say the probability of us building  
9 a warehouse structure on the smaller  
10 parcel is relatively low and we'd have to  
11 revisit that zoning at that time if we  
12 were are to pursue that.

13 LARRY LANTERO: Economically it would be very  
14 difficult to put a warehouse on that piece  
15 of property that makes any sense. It  
16 would be very small.

17 MEMBER MILLER: Would you gentlemen feel  
18 comfortable purchasing both parcels with  
19 the 8 acre vacant lot without a use or  
20 area variance, at this time?

21 MARK AUER: As long as we have the flexibility  
22 and the opportunity to pursue a variance  
23 in the future, I don't see a problem with

1           that.

2       MEMBER MILLER:   Okay. I don't want to stop this  
3           project. I don't want to slow it down.  
4           But I think -- I hope you understand from  
5           what we read, we're basically writing you  
6           a blank check with no plans.

7       MARK AUER:   As long as that doesn't prevent us  
8           for straightening out the elbow in  
9           Arrowwood or Arrowhead.

10      MEMBER MILLER:   That's all got to go to DOT.

11      SUPERVISOR PUROL:   Yeah. That's no problem.

12      MEMBER MILLER:   So, how do we --

13      MARK AUER:   Just for the safety of our vehicles  
14           getting in and out of our facility, if  
15           Arrowhead stays the way it is we'd have a  
16           very congested intersection there that  
17           would not be safe for the community, it  
18           won't be safe for our people, it won't be  
19           safe for the drivers.

20      MEMBER MILLER:   Normally how long, if there is  
21           a normal, between phase one and phase two?

22      MARK AUER:   That all depends upon business  
23           environment. If there is another ice

1           cream manufacturerr or another need or a  
2           consumer product or good, let's say  
3           there's a pizza manufacturer in the area  
4           who needs space, that would be driven by  
5           the market demand.

6   MEMBER MILLER:   Market, yeah.

7   MARK AUER:   From an ice cream standpoint, just  
8           on a pure guess, this building may grow by  
9           another 20 to 50 percent for ice cream.  
10          But there's been no discussion about that  
11          yet.

12   MEMBER MILLER:   Okay.   That's all I have.

13   CHAIRMAN PAGANO :   Okay.   Anybody else have  
14          questions?

15   MEMBER HARPER:   I'm good.

16   CHAIRMAN PAGANO :   That was a good question,  
17          too, Mike.   I'm in agreement with that as  
18          Chairman with the adjacent lot and we can  
19          probably word that within the variance,  
20          once we go through the variance request  
21          for the use and area variance, we'll do it  
22          separately.   As long as they're  
23          comfortable with that, does the rest of

1 the board feel comfortable doing it that  
2 way or what's our thoughts on it?

3 MEMBER HARPER: I think it's a good idea also,  
4 if it pleases everyone, it works.

5 MEMBER TARNOWSKI: I'm on board.

6 CHAIRMAN PAGANO :O. Anybody else in the  
7 audience? Supervisor Purol, would you  
8 like to make any comments on it?

9 SUPERVISOR PUROL: I'm willing to help out in  
10 everything we can. I'm familiar with the  
11 water we got over there. We got no  
12 problem with the road, I talked to the  
13 highway superintendent already. We have  
14 no problem with readjusting the road and  
15 look forward to you guys moving in. And  
16 there is sewer right there.

17 MEMBER TARNOWSKI: When you said water, I'm  
18 thinking sewer.

19 LARRY LANTERO: Sewer is the City of Dunkirk.

20 SUPERVISOR PUROL: Right, you'll have to apply  
21 to them then. We'll tell you all that.

22 LARRY LANTERO: We've already done that. We've  
23 sent a letter to the City Council.

1 SUPERVISOR PUROL: Okay.

2 COUNCILMAN PENNARO: We had of course a  
3 meeting, couple three weeks ago and I  
4 voiced what I thought then. And I was --  
5 in research of the company I was totally  
6 amazed it's a worldwide company. Putting  
7 up storage in Australia, all over the  
8 world. And to have them come to Dunkirk  
9 and provide what they're going to provide  
10 us, and the employment and, of course, as  
11 the Senator said, in conjunction with the  
12 ice cream plant, keeping their future  
13 bright, it's the best thing that ever  
14 happened to this area. And we really  
15 appreciate you considering us. And I know  
16 that anybody I have talked to will back  
17 you up a hundred percent. Thank you .  
18 Thanks for being here.

19 MARK AUER: Thank you .

20 CHAIRMAN PAGANO : Okay. Anybody else comments,  
21 questions?

22 JUAN PAGAN: Juan Pagan, Councilman. I echo  
23 everything that was said. I can speak

1 from experience as far as going back and  
2 losing jobs in our area. We've been doing  
3 that for the last 30 plus years. I was a  
4 steelworker at one time, lost my job  
5 there. Power company, lost my job there  
6 also. So it's nice to see some input as  
7 far as the overall job market starting to  
8 increase in our north county. So for  
9 that, be a neighbor, I'm right down the  
10 street. Whatever we can help you with as  
11 far as the Town Council, we'll be more  
12 than glad to do so.

13 CHAIRMAN PAGANO : Okay. Thank you all. At  
14 this time we will start off with the area  
15 variance, I guess, would be best to start  
16 off with that. I guess before I do that,  
17 we'll close that public portion part of  
18 meeting, unless somebody has any comments  
19 or questions for the individuals present.  
20 We'll close that portion of the meeting  
21 and open up some deliberation between the  
22 Zoning Board members. I'll motion that,  
23 need a second.

1 MEMBER TARNOWSKI: I'll second.

2 CHAIRMAN PAGANO: Okay. We will then put the  
3 adjacent vacant lot, just a stipulation in  
4 the zoning record for that. The rest, if  
5 you look over the area and use variance.  
6 I believe we have to do the area variance  
7 separate, vote on it and then go to the  
8 use variance and do the same. So I'll  
9 start with the area variance application.  
10 We'll go over that and go through the  
11 questions.

12 Number one, whether undesirable change  
13 will be produced in the character of the  
14 neighborhood or a detriment to nearby  
15 properties? Ryan has on for reasons,  
16 Wells Field Brook Ice Cream is 200 yards  
17 away from the proposal. I would have to  
18 agree with that statement. And he has on  
19 here, no as his answer. Any discussion  
20 from the rest of the zoning board members  
21 on number one?

22

23 (All members indicate agree.)

1 CHAIRMAN PAGANO : I agree also. Number two,  
2 whether benefits sought by the applicant  
3 can be achieved by a feasible alternative.  
4 Ryan has, development requires 20 plus  
5 acres to accommodate the need with today's  
6 needs, which is very correct. He also  
7 has, which I'm not sure, do the rest of  
8 the board members have his costs and  
9 up-to-date and stuff on the property?

10 MEMBER MILLER: Yes.

11 MEMBER TARNOWSKI: Yes.

12 CHAIRMAN PAGANO : It's more for the use  
13 variance than the area, but I just wanted  
14 to throw that out there. Do you guys have  
15 that?

16 MEMBER HARPER: Yes.

17 MEMBER TARNOWSKI: Yes.

18 CHAIRMAN PAGANO : Okay. Number two, we're  
19 going to say no. Is everybody in  
20 agreement with that?

21

22 (All members indicate agree.)

23 CHAIRMAN PAGANO : Number three, whether the

1 variance requested is substantial. Ryan  
2 has reasons here, but necessary to  
3 accommodate the structure of the building  
4 for its intended use, which is very  
5 correct.

6 MEMBER MILLER: Agreed.

7 CHAIRMAN PAGANO : Is everybody in agreement  
8 with that statement?

9 MEMBER TARNOWSKI: Agreed.

10 MEMBER HARPER: Agreed.

11 CHAIRMAN PAGANO : Number four, would the  
12 variance have an adverse impact on the  
13 physical or environmental conditions in  
14 the neighborhood? Reasons, no close  
15 proximity to Wells Ice Cream and multiple  
16 self storage units, cement factory, et  
17 cetera. I would say the answer is no to  
18 that too. Does anybody else have any  
19 comments on that one?

20

21 (All members indicate agree.)

22

23 CHAIRMAN PAGANO : Okay. Number five, whether

1 the alleged difficulty was self created?  
2 The answer to that is no. Property has  
3 been marketed for sale more than 30 years.  
4 The previous owner tried to sell to a  
5 freezer operations five years ago, company  
6 closed down prior to completing and failed  
7 to pay property taxes. Current owner is  
8 trying to revive a similar project with  
9 client. I would probably agree with that  
10 statement. Again, he's got quite a bit of  
11 info here for his costs and property taxes  
12 et cetera. Any discussion on number five?

13 MEMBER MILLER: No.

14 MEMBER TARNOWSKI: No.

15 CHAIRMAN PAGANO : Everyone's in agreement with  
16 the answer no?

17

18 (All members indicate agree.)

19

20 CHAIRMAN PAGANO : Okay. We will now go over --  
21 Kyle, do we need to actually take a vote  
22 for just the area variance itself or do we  
23 go through the use variance and do both of

1           them together as one vote?

2       DEPUTY CLERK COUGHLIN: No, they're separate.

3           We have to vote for the area variance and  
4           then go through the use variance and vote  
5           on it.

6       CHAIRMAN PAGANO : Okay. So I'll put a motion  
7           on the floor to grant Petitioner ROM Real  
8           Estate Holding and SRM Real Estate  
9           Holdings of 5630 West Lake Road, an area  
10          variance for the property located on  
11          Section 96.02, Block 2, Lot 1, and Section  
12          96.02 Block 2, Lot 2.1 of the Chautauqua  
13          County tax map in a C-1 tourism commercial  
14          district. Also, we need to put for the  
15          use variance for the adjacent vacant lot,  
16          it is to be determined that any  
17          construction on that piece of property has  
18          to come forth before the Zoning Board.  
19          Are we all comfortable with that?

20       MEMBER HARPER: Yes.

21       MEMBER TARNOWSKI: Agreed.

22       DEPUTY CLERK COUGHLIN: Well, you would do that  
23          with the use variance, Scott. Let's just

1 do the area variance for this one and then  
2 with the use variance, you can put that  
3 stipulation with that.

4 CHAIRMAN PAGANO : Okay. So if we can get a  
5 vote?

6 DEPUTY CLERK COUGHLIN: Chairman Pagano?

7 CHAIRMAN PAGANO : Yes.

8 DEPUTY CLERK COUGHLIN: Member Tarnowski?

9 MEMBER TARNOWSKI: Yes.

10 DEPUTY CLERK COUGHLIN: Member Harper.

11 MEMBER HARPER: Yes.

12 DEPUTY CLERK COUGHLIN: Member Miller?

13 MEMBER MILLER: Yes.

14 CHAIRMAN PAGANO : Okay. Thank you all. Now  
15 we'll continue on with the use variance,  
16 go through the questions on the sheet.  
17 Number one, the applicant cannot realize a  
18 reasonable return, provided that the lack  
19 of return is substantial as demonstrated  
20 by competent financial evidence. Ryan has  
21 no. I would agree with that statement.  
22 It also says financial evidence may  
23 include Bill of Sale, present value of

1 property, leases, rental agreements, tax  
2 bills, conversion costs for permitted use,  
3 and Realtor's statement of inability to  
4 rent or sell. In front of you hopefully  
5 we all have the sheets that Ryan has  
6 provided.

7 Any questions or comments?

8 MEMBER HARPER: Nope.

9 MEMBER TARNOWSKI: None here.

10 CHAIRMAN PAGANO : Okay. So everybody is in  
11 agreement with no for number one, Mike?

12 MEMBER MILLER: Agreed.

13 MEMBER HARPER: Agreed.

14 MEMBER TARNOWSKI: Agreed.

15 CHAIRMAN PAGANO : Okay. Number two, the  
16 alleged hardship related to the property  
17 property is unique and does not apply to  
18 the substantial portion of the district or  
19 neighborhood. Ryan has yes. Discussion  
20 on that one?

21 MEMBER MILLER: Agreed.

22 MEMBER TARNOWSKI: Agree.

23 MEMBER HARPER: Agree.

1 CHAIRMAN PAGANO : Okay. I agree also. Number  
2 three, the requested use variance if  
3 granted will not alter the character of  
4 the neighborhood. I would say no, it's --  
5 he's got warehousing 200 yards away, will  
6 promote growth to our local economy, which  
7 is very true. Any comments on number  
8 three?

9 MEMBER HARPER: No.

10 MEMBER MILLER: No.

11 MEMBER TARNOWSKI: Nope.

12 CHAIRMAN PAGANO : Okay. Number four, the  
13 alleged hardship has not been self  
14 created? No, I would say.

15 MEMBER HARPER: I agree.

16 CHAIRMAN PAGANO : Is everybody in agreement  
17 with that?

18 MEMBER MILLER: Agreed.

19 MEMBER TARNOWSKI: Agreed.

20 CHAIRMAN PAGANO : You got yes, marketed the  
21 property in the past and things haven't  
22 really gone through. And that's all the  
23 zoning use variance questions. We can put

1           the stipulation -- how do we want to word  
2           the stipulation with the adjacent lot?

3 MEMBER TARNOWSKI: Mike?

4 MEMBER MILLER: When deemed necessary the use  
5           variance for, you can read the Section  
6           96.02-2-2.1 will have to come before the  
7           Zoning Board of Appeals again before any  
8           building or action can take place.

9 CHAIRMAN PAGANO : I agree.

10 MEMBER TARNOWSKI: I agree.

11 MEMBER HARPER: Agreed.

12 CHAIRMAN PAGANO : Is that, are the builders and  
13           everybody involved there, all comfortable  
14           with that statement?

15 MARK AUER: I'm comfortable with the statement.  
16           Let me ask Larry a question though. Is  
17           there any chance we would have site  
18           generated soils that may need to be spread  
19           on that vacant lot and reseeded.

20 LARRY LANTERO: Yeah, I'd say there's a chance  
21           of that happening.

22 MARK AUER: That's one thing we want to make  
23           very clear and known to everybody. As we

1       remove material from the site to build the  
2       building, soil material, we may need to  
3       dispose of that soil material. The most  
4       economical fashion we can do that is to  
5       dispose it on our property. So there  
6       might be an instance where we bring that  
7       material over to this property, spread it  
8       and reseed it. So it stays a green area,  
9       but it would truly be by definition a  
10      construction activity.

11     LARRY LANTERO: Why not use Mike's --  
12       Mr. Miller's definition and just take out  
13       those words and put in building, and  
14       scratch or any other activity.

15     MEMBER MILLER: During phase one building  
16       process?

17     LARRY LANTERO: Right. You can't build a  
18       building there, but we can spread dirt  
19       there.

20     RYAN MAUER: You guys won't lose your zoning  
21       there either, the C-1 is still true, we  
22       can't pull that from you.

23     MARK AUER: So under the C-1, just so I'm

1 clear, could that be under a C-1 a  
2 tractor-trailer staging lot in the future,  
3 no plans for it now or does that require a  
4 separate zoning?

5 RYAN MAUER: That's a good question because we  
6 have tractor-trailer staging in other  
7 places of C-1, when I say staging, we got  
8 Wal-Mart which is in Fredonia, but you  
9 have Tops, you have Harbor Freight, you  
10 have all the different businesses there  
11 and they stage trailers. Yours might be  
12 considered a higher impact storage, where  
13 they're storing maybe two, three, four  
14 semis at a time.

15 MARK AUER: Our density would be a little  
16 higher, we have more trailers there, if we  
17 ever got to use that.

18 RYAN MAUER: And the zoning that's not  
19 permitted for the function of an  
20 independent business, but as a piece of  
21 the business that is already there, then  
22 the answer is yes, you can do that.

23 MARK AUER: Okay. All right.

1 RYAN MAUER: So I just want to --

2 MEMBER HARPER: Is that not just for loading  
3 and unloading, that's not for leaving them  
4 there for the next day, am I correct?

5 RYAN MAUER: I don't know, I've never policed  
6 it at Tops. I mean, I was in the trucking  
7 industry so we all know they do leave  
8 their semis for long periods of times  
9 sometimes. Now you see them staging there  
10 when they go home for the weekend but  
11 there true function is storage staging. I  
12 think it's something you really got to  
13 clarify before you move any further.  
14 Because if you think you're going to use  
15 it for staging, if you're fairly confident  
16 you're going to use it for staging, we  
17 need to discuss it now probably.

18 MARK AUER: It's a potential, I don't know how  
19 probable it is. Based on this site plan,  
20 the immediate probability is very, very  
21 low. The future probability is something  
22 I can't comment on because I don't know  
23 what the market will bring.

1 RYAN MAUER: Phase two of your process -- I  
2 wish jimmy crowell was here but he was  
3 unable to attend. I'll answer just to the  
4 book, phase two is going to require Town  
5 approval anyways.

6 MARK AUER: Yep.

7 RYAN MAUER: I mean, anything you do that  
8 changes more than twenty percent of the  
9 size of your building, whether it's you,  
10 Wells, Purina, anybody, but they're  
11 required to come in front of planning  
12 anyways.

13 MARK AUER: Okay.

14 RYAN MAUER: So you'll be coming back  
15 regardless -- if you're saying staging  
16 wouldn't be necessary now but with phase  
17 two it would be, then you're coming back  
18 anyways.

19 MARK AUER: The probability is higher during  
20 phase two. But I just wanted to be very  
21 up front if we had the need to spread  
22 dirt, I didn't want to say something in  
23 this meeting that was interpreted as,

1 well, we weren't completely transparent  
2 with you.

3 RYAN MAUER: Mike, if I can ask, what your  
4 concern was and the board was, your  
5 concern was that they're not going to  
6 build another sixty foot building there  
7 necessarily. And they're not going to put  
8 in blacktop and have a whole bunch of  
9 trailers there. Did I misunderstand you?

10 MEMBER MILLER: If the need arise after phase  
11 two and they needed another staging area,  
12 as a board member now, if I'm still a  
13 board member I would approve it. As long  
14 as it meets all the drainage requirements  
15 and things like that. Yeah. I just can't  
16 write -- let him write me a blank check  
17 not knowing what could be done, because  
18 the use variance goes with the property.  
19 So if you go and turn and sell the  
20 property in X amount of years, the next  
21 operator, the next person has a blank --

22 RYAN MAUER: That's not unusual for a community  
23 to say, listen, if there's not a plan we

1       can't give you something. If you had a  
2       plan in place, saying this is what we're  
3       gonna do, then it wouldn't be unusual for  
4       you guys to approve it. But it does make  
5       sense, I just want to make sure you  
6       haven't put yourself in a corner, if you  
7       think you're gonna use it now, you should  
8       discuss it now and come to an agreement  
9       now.

10      MARK AUER: I can not foresee a need for a  
11       warehouse structure on that property now  
12       or in the near future.

13      MEMBER MILLER: And realistically if it was,  
14       that means the area is doing very well.

15      LARRY LANTERO: Thanks a good problem.

16      MEMBER MILLER: And the other thing is when you  
17       are spreading the spoils, thank you Ron,  
18       keep in mind dust control.

19      LARRY LANTERO: We'll -- we'll have to put some  
20       fence around, make sure there's nothing  
21       going on to adjacent properties  
22       hopefully.

23      RYAN MAUER: They're going to disturb more than

1 an acre, so they're going to have to  
2 follow DEC regulations regardless.

3 MARK AUER: That's really going to be a fall  
4 back position. If there's not enough room  
5 on the larger parcel, then that would be  
6 our first choice.

7 MEMBER MILLER: Very good.

8 DEPUTY CLERK COUGHLIN: Can I clarify that  
9 stipulation?

10 MEMBER MILLER: Yes, you can read it back.

11 DEPUTY CLERK COUGHLIN: So when deemed  
12 necessary, 96.02-2-2.1 will have to come  
13 before the Zoning Board before changing  
14 the current use of the property, because  
15 the current use is just vacant land.

16 RYAN MAUER: So basically what you're doing is  
17 you're removing the eight acre parcel from  
18 the variance.

19 LARRY LANTERO: Yes, we're putting it on its  
20 own.

21 RYAN MAUER: So really if they're in agreement  
22 with it, you just omit it.

23 DEPUTY CLERK COUGHLIN: Okay.

1 RYAN MAUER: You omit it in the process. When  
2 you guys do the vote, you're voting on the  
3 twenty acre parcel, not the eight acre  
4 parcel. But maybe put a statement that  
5 you guys understand that the eight acre  
6 parcel may become part of it, so future  
7 zoning board members read that and say, we  
8 made kind of a commitment to them that we  
9 would work with you if they need it. Make  
10 sense?

11 MEMBER MILLER: Very good.

12 CHAIRMAN PAGANO : Yes, I agree. All the rest  
13 of the Zoning Board members comfortable  
14 with that statement?

15 MEMBER HARPER: Yes, we agree.

16 CHAIRMAN PAGANO : Okay.

17 MEMBER TARNOWSKI: Yes. Thanks for clarifying  
18 that, Ryan.

19 DEPUTY CLERK COUGHLIN: So we're ready to vote  
20 on it guys or do you have anything else?

21 MEMBER MILLER: We're good.

22 DEPUTY CLERK COUGHLIN: All right. Chairman  
23 Pagano?

1 CHAIRMAN PAGANO : Yes.

2 TOWN CLERK COUGHLIN: Member Tarnowski?

3 MEMBER Tarnowski: Yes.

4 TOWN CLERK COUGHLIN: Member Harper?

5 MEMBER HARPER: Yes.

6 TOWN CLERK COUGHLIN: Member Miller?

7 MEMBER MILLER: Yes.

8 RYAN MAUER: You've been approved. Thank you ,  
9 gentlemen.

10

11

12 (All applause. )

13

14 \* \* \* \*

15

16

17

18

19

20

21

22

23

1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

4 I, DARLENE L. JERGE, a Notary Public  
5 in and for the State of New York, County of  
6 Erie, DO HEREBY CERTIFY that the PUBLIC HEARING  
7 MINUTES were taken down by me in a verbatim  
8 manner by means of Machine Shorthand, on  
9 FEBRUARY 25, 2021. That the minutes were then  
10 reduced in writing under my direction. That  
11 the minutes were taken to be used in the  
12 above-entitled proceeding.

13 I further CERTIFY that the  
14 above-described transcript constitutes a true  
15 and accurate and complete transcript of the  
16 minutes.

17 

18 -----  
19 DARLENE L. JERGE,  
20 Notary Public.  
21  
22  
23

# ACR OF WNY

## (716) 362-9838

< Dates >  
 96.02-2-1 5:6  
 96.02-2-1.  
 5:14  
 February 2021  
 3:2  
 February 23,  
 2021 5:11  
 FEBRUARY 25,  
 2021 1:11,  
 1:28, 57:9  
 February  
 25th, 2021  
 4:23

< 1 >  
 1 3:15, 43:11  
 12 19:15  
 121 13:10  
 14048 4:7  
 14068 1:28  
 145 24:20  
 17 20:12  
 18 19:15  
 180 25:1  
 182 12:14

< 2 >  
 2 3:15, 3:16,  
 12:22,  
 13:6,  
 16:16,  
 43:11,  
 43:12  
 2.1 3:16,  
 43:12  
 20 3:10,  
 10:20,  
 11:5, 20:6,  
 20:10,  
 35:9, 40:4  
 200 39:16,  
 46:5  
 2021-09 5:5

239-1. 6:6  
 239-m 5:19  
 24 21:8  
 25th 3:2  
 264 11:12  
 267-b 6:22  
 280 25:3

< 3 >  
 30 16:7,  
 20:22,  
 38:3, 42:3  
 34 11:21  
 35 20:11,  
 20:12  
 36 3:20

< 4 >  
 40 3:11,  
 16:7, 24:18  
 41 3:19  
 42. 20:14  
 4737 1:27,  
 3:3, 4:7,  
 5:3  
 48 20:15

< 5 >  
 5 4:3  
 50 24:5, 35:9  
 500 5:21  
 52 20:12,  
 20:14  
 53 10:22  
 54 20:23  
 55 20:7  
 5630 1:18,  
 3:7, 43:9

< 6 >  
 6 1:11, 3:2  
 60 20:23,

22:10,  
 22:14,  
 22:22,  
 23:14,  
 24:18  
 68 20:19  
 6:04 1:29,  
 2:15

< 7 >  
 7 20:13  
 70 22:8  
 72 20:19  
 75 25:10  
 76 21:4

< 8 >  
 8 31:3, 31:5,  
 33:19

< 9 >  
 96.02 3:15,  
 3:16,  
 43:11,  
 43:12  
 96.02-2-2.1  
 47:6, 54:12

< A >  
 A-U-E-R 9:11  
 abilities  
 28:21  
 ability 33:2  
 able 13:23,  
 22:7,  
 28:11,  
 32:8, 33:2  
 above 5:18  
 above-describ  
 ed 57:14  
 above-entitle  
 d 57:12

Absolutely  
 19:19  
 accepted 9:21  
 access 16:13  
 accommodate  
 22:8, 40:5,  
 41:3  
 According  
 30:9, 32:1  
 accurate  
 57:15  
 achieved 40:3  
 acquired 7:22  
 acquiring  
 7:23, 14:4  
 acre 14:4,  
 31:3, 31:5,  
 33:19,  
 54:1,  
 54:17,  
 55:3, 55:5  
 acres 40:5  
 across 8:8,  
 11:3, 14:4,  
 25:2,  
 27:20,  
 29:17  
 action 6:7,  
 47:8  
 activities  
 9:18  
 activity  
 48:10,  
 48:14  
 actually  
 10:6,  
 13:22,  
 15:22,  
 19:8, 42:21  
 add 24:1  
 additional  
 3:9, 25:10  
 Addressed 5:1  
 adequate  
 19:18  
 adjacent

# ACR OF WNY

## (716) 362-9838

35:18,  
39:3,  
43:15,  
47:2, 53:21  
**admininstrati**  
**ve** 12:20  
**administrativ**  
**e** 10:9  
**adverse** 41:12  
**advocate**  
23:19  
**ago** 37:3,  
42:5  
**Agree** 14:6,  
39:18,  
40:1, 42:9,  
44:21,  
45:22,  
45:23,  
46:1,  
46:15,  
47:9,  
47:10,  
55:12,  
55:15  
**agree.** 39:23,  
40:22,  
41:21,  
42:18  
**Agreed** 41:6,  
41:9,  
41:10,  
43:21,  
45:12,  
45:13,  
45:14,  
45:21,  
46:18,  
46:19,  
47:11  
**agreement**  
35:17,  
40:20,  
41:7,  
42:15,  
45:11,

46:16,  
53:8, 54:21  
**agreements**  
45:1  
**agriculture**  
27:23  
**ahead** 21:20  
**alleged** 42:1,  
45:16,  
46:13  
**allow** 32:8  
**already**  
36:13,  
36:22,  
49:21  
**alter** 46:3  
**alternative**  
40:3  
**amazed** 37:6  
**Amazon** 28:18,  
28:19  
**Americold**  
9:12, 10:1,  
10:13,  
11:16,  
24:20  
**amonia** 12:5  
**amount** 52:20  
**annually** 8:15  
**answer** 7:16,  
10:1,  
14:17,  
19:22,  
39:19,  
41:17,  
42:2,  
42:16,  
49:22, 51:3  
**answered**  
14:20,  
14:23  
**anticipated**  
13:10  
**Anybody** 30:6,  
35:13,  
36:6,

37:16,  
37:20,  
41:18,  
51:10  
**anyways** 51:5,  
51:12,  
51:18  
**apartment**  
17:19  
**apologize**  
20:4  
**appeal** 3:4  
**Appeals** 1:7,  
1:26, 2:14,  
3:1, 6:20,  
47:7  
**applause**  
56:12  
**applicant**  
40:2, 44:17  
**application**  
39:9  
**apply** 19:12,  
36:20,  
45:17  
**appreciate**  
37:15  
**approval**  
5:12, 8:20,  
32:22, 51:5  
**approve**  
30:19,  
32:5,  
52:13, 53:4  
**approved**  
25:23, 56:8  
**Ardillo** 26:13  
**Area** 3:8,  
5:5, 5:11,  
7:20, 9:6,  
9:22, 11:4,  
12:18,  
18:23,  
19:6,  
19:11,  
26:16,

27:2,  
27:13,  
27:23,  
30:1, 30:3,  
30:11,  
30:13,  
30:19,  
33:20,  
35:3,  
35:21,  
37:14,  
38:2,  
38:14,  
39:5, 39:6,  
39:9,  
40:13,  
42:22,  
43:3, 43:9,  
44:1, 48:8,  
52:11,  
53:14  
**areas** 11:7,  
11:10,  
12:17  
**arise** 52:10  
**around** 13:10,  
15:14,  
17:17,  
26:22,  
27:2, 53:20  
**Arrowhead**  
11:22,  
14:9, 16:3,  
17:9,  
17:18,  
18:4, 20:2,  
34:9, 34:15  
**Arrowwood**  
34:9  
**Article** 3:18  
**assist** 6:11  
**associated**  
9:18  
**Atlanta** 9:13  
**attain** 9:4  
**attend** 51:3

# ACR OF WNY

(716) 362-9838

<b>attention</b>	46:5	26:3,	<b>boundary</b> 5:22
26:12	<b>awful</b> 8:4	27:13,	<b>bourke</b> 7:6
<b>audience</b> 36:7		29:10	<b>box</b> 18:3
<b>AUER</b> 9:9,	<b>&lt; B &gt;</b>	<b>bigger</b> 16:6	<b>break</b> 12:19
9:10,	<b>back</b> 12:1,	<b>biggest</b> 25:7	<b>Brian</b> 26:13
12:11,	13:17,	<b>Bill</b> 44:23	<b>bright</b> 37:13
14:8, 16:4,	15:4, 15:9,	<b>billboards</b>	<b>bring</b> 7:15,
20:11,	17:12,	27:2	17:18,
20:19,	18:10,	<b>bills</b> 45:2	48:6, 50:23
21:8,	22:22,	<b>biopharmaceut</b>	<b>Brook</b> 39:16
22:13,	25:6,	<b>icals</b> 25:14	<b>brushhogging</b>
22:23,	37:16,	<b>bit</b> 20:8,	8:18
23:4, 25:1,	38:1,	27:12,	<b>buffer</b> 16:4,
25:12,	51:14,	42:10	16:5, 16:19
30:20,	51:17,	<b>blacktop</b> 52:8	<b>build</b> 16:8,
31:5, 31:7,	54:4, 54:10	<b>blank</b> 28:17,	33:2, 48:1,
31:16,	<b>balance</b> 10:7	34:6,	48:17, 52:6
31:20,	<b>base</b> 10:10	52:16,	<b>build-out</b>
32:4,	<b>Based</b> 6:6,	52:21	15:19
32:18,	8:21, 9:12,	<b>Block</b> 3:15,	<b>builders</b>
33:5,	10:15,	3:16,	47:12
33:21,	18:19,	43:11,	<b>building</b> 3:9,
34:7,	28:3, 33:5,	43:12	3:10, 3:19,
34:13,	50:19	<b>Board</b> 1:7,	4:17, 11:8,
34:22,	<b>basically</b>	1:26, 2:1,	11:14,
35:7,	30:16,	2:14, 2:27,	11:23,
37:19,	34:5, 54:16	3:1, 4:8,	12:21,
47:15,	<b>become</b> 55:6	5:2, 5:17,	12:23,
47:22,	<b>behalf</b> 7:10,	14:18,	13:18,
48:23,	7:11	24:13,	14:1, 15:6,
49:15,	<b>behind</b> 11:12	30:18,	15:7,
49:23,	<b>believe</b>	36:1, 36:5,	17:17,
50:18,	20:18,	38:22,	17:19,
51:6,	24:20,	39:20,	17:22,
51:13,	26:1, 30:3,	40:8,	18:12,
51:19,	39:6	43:18,	20:5,
53:10, 54:3	<b>benefits</b> 40:2	47:7, 52:4,	20:17,
<b>Australia</b>	<b>berm</b> 20:1	52:12,	31:10,
37:7	<b>besides</b> 4:10	52:13,	32:10,
<b>average</b>	<b>best</b> 37:13,	54:13,	32:12,
20:20,	38:15	55:7, 55:13	32:23,
20:21,	<b>big</b> 13:13,	<b>book</b> 51:4	33:8, 35:8,
21:1, 24:16	15:3, 15:9,	<b>BORRELLO</b>	41:3, 47:8,
<b>avoid</b> 9:17,	21:9,	23:9, 24:7,	48:2,
19:16	25:17,	24:12,	48:13,
<b>away</b> 39:17,		27:11	48:15,

# ACR OF WNY

(716) 362-9838

48:18,  
51:9, 52:6  
**buildings**  
32:14,  
32:15  
**bunch** 52:8  
**business**  
10:16,  
28:5, 32:9,  
34:22,  
49:20,  
49:21  
**businesses**  
49:10  
**busy** 22:10  
**buy** 14:13  
  
< C >  
**C-1** 3:17,  
5:15,  
31:12,  
43:13,  
48:21,  
48:23,  
49:1, 49:7  
**call** 2:14,  
2:17, 20:23  
**capable** 28:14  
**car** 23:4  
**carbon** 13:11  
**cement** 41:16  
**center** 28:14  
**certain** 30:12  
**certainly**  
22:7,  
23:11,  
23:12,  
23:17,  
23:18, 24:7  
**CERTIFY** 57:6,  
57:13  
**cetera** 41:17,  
42:12  
**Chadwick** 17:2  
**Chair** 5:2

**Chairman** 2:2,  
2:18, 5:8,  
35:18,  
39:2, 44:6,  
55:22  
**CHAIRMAN**  
**PAGANO**  
2:13, 2:19,  
2:26, 4:16,  
4:19, 4:23,  
9:8, 14:18,  
21:16,  
21:19,  
30:6,  
35:13,  
35:16,  
36:6,  
37:20,  
38:13,  
40:1,  
40:12,  
40:18,  
40:23,  
41:7,  
41:11,  
41:23,  
42:15,  
42:20,  
43:6, 44:4,  
44:7,  
44:14,  
45:10,  
45:15,  
46:1,  
46:12,  
46:16,  
46:20,  
47:9,  
47:12,  
55:12,  
55:16, 56:1  
**chance** 4:17,  
47:17,  
47:20  
**change** 15:23,  
39:12

**changed** 19:2  
**changes** 29:5,  
51:8  
**changing**  
54:13  
**character**  
39:13, 46:3  
**Chautauqua**  
3:16, 5:17,  
43:12  
**check** 34:6,  
52:16  
**Chicago** 10:16  
**choice** 54:6  
**circle** 15:4  
**circumstance**  
s 6:16  
**City** 5:22,  
17:5,  
18:10,  
36:19,  
36:23  
**civil** 22:1  
**clarify**  
50:13, 54:8  
**clarifying**  
55:17  
**class** 26:23,  
27:1  
**clear** 10:22,  
47:23, 49:1  
**clearing** 8:5  
**CLERK** 2:11,  
2:18, 2:20,  
2:22, 2:24,  
4:6, 4:12,  
43:2,  
43:22,  
44:6, 44:8,  
44:10,  
44:12,  
54:8,  
54:11,  
54:23,  
55:19,  
55:22,

56:2, 56:4,  
56:6  
**client** 13:15,  
42:9  
**close** 20:1,  
38:17,  
38:20,  
41:14  
**closed** 42:6  
**coast** 27:9  
**Code** 7:7  
**codified** 6:21  
**Cold** 24:16,  
24:21,  
25:12, 28:2  
**comes** 17:2,  
27:1,  
28:21,  
28:22,  
29:14  
**comfortable**  
31:1,  
33:18,  
35:23,  
36:1,  
43:19,  
47:13,  
47:15,  
55:13  
**coming** 9:22,  
25:19,  
30:18,  
51:14,  
51:17  
**commencing**  
1:29  
**comment** 30:7,  
50:22  
**comments** 4:5,  
6:13, 36:8,  
37:20,  
38:18,  
41:19,  
45:7, 46:7  
**commercial**  
43:13

# ACR OF WNY

(716) 362-9838

<b>Commerical</b>	22:16	53:6	57:3, 57:5
3:17	<b>congested</b>	<b>Corporation</b>	<b>county-wide</b>
<b>commitment</b>	34:16	10:12	6:8
22:15, 55:8	<b>conjunction</b>	<b>Corps</b> 19:13	<b>couple</b> 37:3
<b>committed</b>	26:15,	<b>correct</b>	<b>course</b> 37:2,
29:18	37:11	21:15,	37:10
<b>community</b>	<b>consider</b> 3:4,	24:17,	<b>Court</b> 6:19
27:4,	8:20, 32:7	40:6, 41:5,	<b>Cream</b> 11:7,
34:17,	<b>consideration</b>	50:4	21:1, 21:2,
52:22	<b>s</b> 6:3	<b>costs</b> 8:15,	22:22,
<b>compact</b> 32:20	<b>considered</b>	40:8,	26:4, 26:9,
<b>companies</b>	49:12	42:11, 45:2	26:21,
25:17	<b>considering</b>	<b>COUGHLIN</b>	27:6, 28:4,
<b>company</b>	37:15	2:11, 2:18,	35:1, 35:7,
26:14,	<b>consist</b> 12:16	2:22, 2:24,	35:9,
28:3, 28:7,	<b>consists</b>	4:12, 43:2,	37:12,
29:7, 37:5,	12:19	43:22,	39:16,
37:6, 38:5,	<b>constitutes</b>	44:6, 44:8,	41:15
42:5	57:14	44:10,	<b>Create</b> 16:4
<b>competent</b>	<b>construction</b>	44:12,	<b>created</b>
44:20	10:14,	54:8,	27:15,
<b>competition</b>	12:14,	54:11,	42:1, 46:14
25:6, 27:19	43:17,	54:23,	<b>criteria</b>
<b>complete</b>	48:10	55:19,	6:18, 6:21
57:15	<b>consumer</b> 35:2	55:22,	<b>critically</b>
<b>completely</b>	<b>contact</b> 7:4	56:2, 56:4,	29:3,
52:1	<b>continue</b>	56:6	29:12, 30:4
<b>completing</b>	28:7,	<b>COUGLIN</b> 2:20	<b>cross</b> 17:16
42:6	28:11,	<b>Council</b>	<b>Crowell</b> 4:16,
<b>component</b>	44:15	36:23,	7:7, 51:2
32:19	<b>continuing</b>	38:11	<b>Current</b> 31:8,
<b>conceptually</b>	33:7	<b>Councilman</b>	42:7,
11:17	<b>contract</b> 8:2	2:10, 37:2,	54:14,
<b>concern</b> 6:10,	<b>control</b>	37:22	54:15
23:15,	30:17,	<b>country</b> 11:3,	
24:8, 52:4,	53:18	25:12,	
52:5	<b>controlled</b>	27:21,	<b>&lt; D &gt;</b>
<b>concerns</b> 6:5	6:15	28:16,	<b>DARLENE</b> 1:29,
<b>conditions</b>	<b>conversation</b>	29:17	57:4, 57:22
41:13	22:13,	<b>country-wide</b>	<b>date</b> 25:7
<b>conducted</b>	23:18	6:2	<b>dated</b> 4:23
1:27	<b>conversion</b>	<b>County</b> 3:17,	<b>day</b> 3:2,
<b>confident</b>	45:2	4:10, 4:12,	20:18,
50:15	<b>copied</b> 7:6	4:20, 5:17,	20:22,
<b>confirmation</b>	<b>copy</b> 13:11	5:21, 38:8,	21:5, 21:8,
18:18,	<b>corner</b> 23:22,	43:13,	22:9, 50:4

# ACR OF WNY

(716) 362-9838

<b>days</b> 4:4	<b>designated</b> 48:5	4:7, 5:3,
<b>Dear</b> 5:8	5:16	5:23, 17:5,
<b>DEC</b> 54:2	<b>determined</b> 27:8	36:19, 37:8
<b>decision</b> 6:12, 30:14	43:16	<b>During</b> 8:3,
<b>deemed</b> 47:4,	<b>detriment</b> 39:14	8:14,
54:11	<b>develop</b> 14:6,	48:15,
<b>deep</b> 11:11,	14:14	51:19
11:13	<b>Development</b> 53:23	<b>dust</b> 53:18
<b>definitely</b> 25:18	4:20,	
<b>definition</b> 48:9, 48:12	23:16,	<b>&lt; E &gt;</b>
<b>degree</b> 10:21	27:13, 40:4	<b>e-mail</b> 4:6
<b>degrees</b> 11:6,	<b>developments</b> 27:20	<b>earlier</b> 23:6
11:9,	<b>Dick</b> 4:19	<b>east</b> 12:23,
11:10, 22:6	<b>differences</b> 13:13	20:6, 27:8
<b>deliberation</b> 38:21	<b>different</b> 8:7, 49:10	<b>echo</b> 37:22
<b>delineated</b> 19:11	<b>difficult</b> 30:10,	<b>economical</b> 48:4
<b>demand</b> 35:5	33:14	<b>Economically</b> 33:13
<b>demonstrated</b> 6:17, 44:19	<b>difficulty</b> 42:1	<b>economy</b> 29:5,
<b>density</b> 49:15	<b>diligence</b> 9:18	46:6
<b>Department</b> 4:11, 4:13,	<b>direct</b> 10:5	<b>effect</b> 6:4
16:13,	<b>direction</b> 57:10	<b>eight</b> 14:4,
23:23	<b>directions</b> 17:23	54:17,
<b>depends</b> 34:22	<b>Directly</b> 26:6	55:3, 55:5
<b>DEPUTY</b> 2:11,	<b>director</b> 9:11	<b>either</b> 11:9,
2:18, 2:20,	<b>dirt</b> 48:18,	48:21
2:22, 2:24,	51:22	<b>elbow</b> 14:9,
4:12, 43:2,	<b>discuss</b> 50:17, 53:8	34:8
43:22,	<b>Discussion</b> 23:10,	<b>electronic</b> 3:23
44:6, 44:8,	23:13,	<b>eliminate</b> 16:2, 20:7,
44:10,	23:14,	20:10
44:12,	35:10,	<b>employee</b> 12:18
54:8,	39:19,	<b>employees</b> 10:5, 10:8,
54:11,	42:12,	10:9
54:23,	45:19	<b>employer</b> 26:4
55:19,	<b>dispose</b> 48:3,	<b>employment</b> 27:3, 27:5,
55:22		37:10
<b>design</b> 10:14,		<b>empty</b> 30:16
11:1, 22:5,		<b>encouraged</b>
22:7		

# ACR OF WNY

(716) 362-9838

4:5	42:12	facility	21:15,
end 7:2,	evening 9:9	3:13, 10:3,	24:18,
11:23,	Everybody	11:15,	24:20,
20:13	28:16,	15:20,	25:11
Enforcement	28:18,	27:6,	fence 20:3,
7:8	28:20,	32:19,	53:20
engaged 21:22	40:19,	34:14	Field 39:16
engineering	41:7,	facing 11:22,	Fifteen
9:12,	45:10,	15:8	12:11,
10:14,	46:16,	fact 8:21,	12:12
19:17	47:13,	25:8	fifty-five
Engineers	47:23	factories	10:17
19:14,	Everyone 9:9,	29:17	financial
21:21, 22:1	14:13,	factory	44:20,
enough 15:3,	36:4, 42:15	26:21,	44:22
21:9, 54:4	everything	26:23,	financials
ensure 28:6,	36:10,	41:16	26:19
28:10	37:23	failed 42:6	find 6:7
ensuring	evidence	fair 10:10	fire 15:16,
29:18	44:20,	fairly 50:15	15:21,
entertain	44:22	fall 54:3	16:9, 23:23
31:21	exactly 11:14	fallen 8:8,	firefighting
entertained	excess 25:1,	9:2	16:12
31:16	25:3	familiar	first 54:6
entire 15:19	existing	36:10	five 8:2,
environment	31:12	far 22:2,	8:23,
34:23	expand 12:9,	38:1, 38:7,	25:11,
environmental	27:7	38:11	41:23,
41:13	expansion	fashion 48:4	42:5, 42:12
envision	13:9,	feasible 40:3	flexibility
30:20	13:13, 33:6	feel 31:1,	33:21
envisioning	expenses 8:4,	33:17, 36:1	flip 14:22
18:11	8:19	feet 3:10,	floor 43:7
equipment	experience	3:11, 5:21,	flow 32:16
12:2	38:1	10:23,	follow 15:5,
Erie 57:3,	extension	11:1,	54:2
57:6	32:9	11:11,	following
Especially	extremely	11:12,	3:4, 6:12
23:1,	28:5	11:18,	food 10:18,
23:16, 26:3		11:21,	25:13,
Estate 1:14,	< F >	12:15,	28:1,
1:16, 3:5,	face 29:16	13:11,	28:15,
3:6, 30:21,	facilities	16:7, 20:6,	28:22
43:8	11:3, 25:1,	20:7, 20:9,	foot 24:5,
ESTELLE 2:4	25:3	20:12,	32:10, 52:6
et 41:16,		20:13,	forces 8:22

# ACR OF WNY

(716) 362-9838

foresee 53:10  
 formal 6:17  
 forth 6:19,  
     25:6, 43:18  
 forward 29:4,  
     36:15  
 four 16:14,  
     41:11,  
     46:12,  
     49:13  
 Fredonia  
     1:18, 3:7,  
     49:8  
 freezer 3:12,  
     5:12,  
     10:19,  
     10:21,  
     11:12,  
     12:16,  
     21:2, 42:5  
 Freight 49:9  
 freon 12:4  
 front 11:8,  
     45:4,  
     51:11,  
     51:21  
 frozen 28:9  
 fruition 7:15  
 full 5:10,  
     10:3  
 function  
     49:19,  
     50:11  
 future 13:4,  
     13:6, 13:7,  
     14:16,  
     19:9, 26:1,  
     30:2, 31:7,  
     31:17,  
     31:21,  
     33:6,  
     33:23,  
     37:12,  
     49:2,  
     50:21,  
     53:12, 55:6

< G >  
 gas 12:6,  
     19:5  
 General 5:19,  
     6:5  
 generated  
     47:18  
 gentlemen  
     7:14, 9:3,  
     24:14,  
     25:16,  
     33:17, 56:9  
 Georgia 9:13  
 getting 8:5,  
     8:14,  
     32:22,  
     34:14  
 give 30:10,  
     53:1  
 given 2:26,  
     25:7  
 gives 7:4,  
     25:16  
 glad 38:12  
 globabllly  
     25:4  
 global 25:2  
 gonna 7:13,  
     12:7,  
     12:14,  
     12:16,  
     12:22,  
     14:13,  
     15:20,  
     16:7,  
     16:22,  
     17:13,  
     17:16,  
     18:2, 18:6,  
     18:13,  
     18:14,  
     18:16,  
     19:2, 19:8,  
     19:10,

20:18,  
 21:10,  
 21:11,  
 21:14,  
 21:16,  
 21:19,  
 23:2, 53:3,  
 53:7  
 Googled 24:17  
 grant 32:3,  
     43:7  
 granted 6:14,  
     46:3  
 granting 6:18  
 gray 30:13  
 great 23:7,  
     24:5, 27:3,  
     27:4, 27:9  
 green 16:4,  
     16:5,  
     16:19, 48:8  
 Greenman  
     21:23  
 ground 18:21  
 grow 28:7,  
     35:8  
 growth 46:6  
 guess 35:8,  
     38:15,  
     38:16  
 guys 8:19,  
     8:20,  
     31:20,  
     36:15,  
     40:14,  
     48:20,  
     53:4, 55:2,  
     55:5, 55:20  
  
 < H >  
 Hall 1:27,  
     3:3  
 hampered  
     18:21  
 handle 21:11

happened  
     37:14  
 happening  
     47:21  
 happens 29:13  
 happy 14:17  
 Harbor 49:9  
 hardship  
     6:17,  
     45:16,  
     46:13  
 hardships  
     6:23  
 HARPER 2:4,  
     2:22, 2:23,  
     35:15,  
     36:3,  
     40:16,  
     41:10,  
     43:20,  
     44:10,  
     44:11,  
     45:8,  
     45:13,  
     45:23,  
     46:9,  
     46:15,  
     47:11,  
     50:2,  
     55:15,  
     56:4, 56:5  
 hazardous  
     12:6  
 heard 3:22  
 HEARING 1:9,  
     2:15, 3:2,  
     4:4, 4:10,  
     57:6  
 height 3:9,  
     3:10, 3:19,  
     7:21, 9:20,  
     10:22,  
     12:22,  
     24:16,  
     30:11  
 held 25:5

# ACR OF WNY

## (716) 362-9838

**help** 17:21,  
 30:2, 36:9,  
 38:10  
**HEREBY** 2:26,  
 57:6  
**hidden** 15:2  
**high** 10:21,  
 11:19  
**higher** 24:19,  
 49:12,  
 49:16,  
 51:19  
**Highway**  
 22:14,  
 36:13  
**history** 28:22  
**hold** 20:15  
**Holding** 43:8  
**Holdings**  
 1:14, 1:16,  
 3:5, 3:6,  
 43:9  
**holds** 24:20  
**home** 50:10  
**hook** 18:6  
**hope** 34:4  
**hopefully**  
 45:4, 53:22  
**hours** 21:7,  
 21:8  
**house** 14:23,  
 29:2  
**hub** 27:7  
**huge** 28:3  
**hundred** 12:4,  
 19:19,  
 22:9,  
 25:10,  
 37:17  
**hydrant**  
 16:11,  
 16:12  
  
**< I >**  
**Ice** 11:6,

21:1, 21:2,  
 22:22,  
 26:4, 26:9,  
 26:21,  
 27:6, 28:4,  
 34:23,  
 35:7, 35:9,  
 37:12,  
 39:16,  
 41:15  
**idea** 36:3  
**immediate**  
 14:5, 50:20  
**impact** 6:9,  
 24:9,  
 29:23,  
 41:12,  
 49:12  
**important**  
 29:3,  
 29:12, 30:4  
**improve** 17:21  
**in-bound**  
 20:21  
**in.** 36:15  
**inability**  
 45:3  
**include** 44:23  
**increase**  
 19:20,  
 27:5, 38:8  
**incurred** 8:3  
**independent**  
 49:20  
**indicate**  
 39:23,  
 40:22,  
 41:21,  
 42:18  
**indirect** 10:7  
**individuals**  
 38:19  
**industrial**  
 25:5  
**industry** 50:7  
**inevitable**

26:2  
**info** 42:11  
**informal** 6:12  
**information**  
 4:2  
**input** 38:6  
**install** 13:22  
**installed**  
 17:2, 17:15  
**instance** 48:6  
**Insulated**  
 10:12  
**intended** 41:4  
**inter-communi**  
**ty** 6:2, 6:9  
**interested**  
 3:22  
**interfering**  
 19:5  
**interpreted**  
 51:23  
**intersection**  
 22:17,  
 34:16  
**invested**  
 26:19  
**investigate**  
 22:18  
**investigating**  
 21:22  
**involved**  
 47:13  
**issue** 23:6  
**issues** 18:17  
**items** 25:15  
**itself** 27:6,  
 42:22  
  
**< J >**  
**Jamestown**  
 21:23  
**JERGE** 1:30,  
 57:4, 57:22  
**Jim** 7:7  
**Jimmy** 4:16,

51:2  
**job** 38:4,  
 38:5, 38:7  
**jobs** 9:5,  
 10:2,  
 27:16,  
 27:20,  
 30:1, 38:2  
**Juan** 2:10,  
 37:22  
**jump** 23:9,  
 27:11  
**Junior** 7:6  
  
**< K >**  
**keep** 9:14,  
 53:18  
**keeping** 37:12  
**kind** 10:18,  
 11:20,  
 15:2,  
 22:11,  
 27:16, 55:8  
**knowing** 52:17  
**known** 47:23  
**Kyle** 2:17,  
 4:8, 4:10,  
 42:21  
  
**< L >**  
**L.** 1:30,  
 57:4, 57:22  
**lack** 44:18  
**Lake** 1:18,  
 3:7, 43:9  
**land** 54:15  
**landscaping**  
 8:17  
**lane** 15:16,  
 15:21, 16:9  
**LANTERO**  
 10:11,  
 12:12,  
 14:11,

# ACR OF WNY

## (716) 362-9838

15:1,	20:4,	literally	lost 27:16,
15:12,	20:12,	26:18	38:4, 38:5
15:16,	21:13,	little 20:8,	Lot 3:15,
15:18,	21:21,	27:12,	3:16, 8:4,
16:5,	22:5, 23:5,	49:15	13:1,
16:17,	31:11,	LLC 1:14,	26:19,
16:21,	32:5,	1:16, 3:6	27:15,
17:12,	32:21,	loading 50:2	27:18,
18:11,	33:13,	local 6:10,	27:19,
18:16,	36:19,	8:11,	30:16,
19:19,	36:22,	26:14, 46:6	30:22,
20:4,	47:16,	located 3:14,	31:8,
20:12,	47:20,	5:13, 5:15,	31:13,
21:13,	48:11,	12:3, 13:1,	32:6, 33:3,
21:21,	48:17,	43:10	33:19,
31:11,	53:15,	location	35:18,
32:5,	53:19,	11:16	39:3,
32:21,	54:19	locations	43:11,
33:13,	last 38:3	20:20	43:12,
36:19,	Law 5:19,	lockerrooms	43:15,
36:22,	6:6, 6:22,	12:19	47:2,
47:20,	30:10	Login 4:2	47:19, 49:2
48:11,	layout 15:23	logistical	low 33:10,
48:17,	lease 45:1	28:14	50:21
53:15,	least 4:3	logistically	luck 8:13
53:19,	leave 50:7	28:8	lucky 23:21
54:19	leaving 50:3	logistics	
large 29:6	left 22:21	28:23	
larger 33:7,	legal 4:9	long 24:2,	< M >
54:5	LENTARO 10:11	29:20,	Machine 57:8
largest 25:4	letter 4:21,	33:21,	mail 4:6
LARRY 10:10,	5:8, 36:23	34:7,	main 11:4,
10:11,	level 10:9	34:20,	13:18,
12:12,	light 23:8,	35:22,	13:23,
14:11,	24:6, 29:15	50:8, 52:13	17:1, 17:14
15:1,	lights 22:12	look 29:7,	maintained
15:12,	limitations	36:15, 39:5	11:5, 11:9
15:16,	4:2	looked 15:1,	manner 57:8
15:18,	limited 32:2	15:6,	manufacturer
16:5,	line 13:18,	23:10, 25:9	35:3
16:17,	13:23,	looking 27:3	manufacturerr
16:21,	14:21,	looks 11:15	35:1
17:12,	14:22, 19:5	loop 17:17,	manufacturing
18:11,	lined 23:2	17:20	26:14, 30:3
18:16,	listed 6:5	lose 48:20	map 3:17,
19:19,	listen 52:23	losing 38:2	43:13

# ACR OF WNY

## (716) 362-9838

<b>MARK</b> 9:9,	<b>matter</b> 6:10,	<b>metered</b> 18:5	17:7, 17:10
9:10,	7:3	<b>MICHAEL</b> 2:5	<b>near</b> 53:12
12:11,	<b>Matthew</b> 7:5	<b>Midwest</b> 28:4	<b>nearby</b> 39:14
14:7, 14:8,	<b>MAUER</b> 7:12,	<b>mif</b> 15:7	<b>necessarily</b>
16:4,	26:8, 31:3,	<b>Mike</b> 35:17,	52:7
20:11,	32:7,	45:11,	<b>necessary</b>
20:19,	32:16,	47:3,	41:2, 47:4,
21:8,	48:20,	48:11, 52:3	51:16,
22:13,	49:5,	<b>million</b> 25:10	54:12
22:23,	49:18,	<b>mind</b> 53:18	<b>need</b> 10:23,
23:4, 25:1,	50:1, 50:5,	<b>minor</b> 8:17	19:7, 28:6,
25:12,	51:1, 51:7,	<b>minus</b> 10:20,	28:8,
30:20,	51:14,	11:5	29:19,
31:5, 31:7,	52:3,	<b>MINUTES</b> 57:7,	32:16,
31:16,	52:22,	57:9,	35:1,
31:20,	53:23,	57:11,	38:23,
32:4,	54:16,	57:16	40:5,
32:18,	54:21,	<b>misunderstand</b>	42:21,
33:5,	55:1, 56:8	52:9	43:14,
33:21,	<b>maximum</b> 3:10,	<b>mitigation</b>	47:18,
34:7,	3:19	19:13	48:2,
34:13,	<b>mean</b> 25:18,	<b>momentum</b>	50:17,
34:22,	31:16,	27:18	51:21,
35:7,	50:6, 51:7	<b>month</b> 19:15	52:10,
37:19,	<b>means</b> 4:1,	<b>months</b> 21:4	53:10, 55:9
47:15,	53:14, 57:8	<b>motion</b> 38:22,	<b>needed</b> 25:11,
47:22,	<b>meeting</b> 2:15,	43:6	52:11
48:23,	3:23, 9:14,	<b>move</b> 20:10,	<b>needs</b> 35:4,
49:15,	37:3,	28:12,	40:6
49:23,	38:18,	50:13	<b>neighbor</b> 38:9
50:18,	38:20,	<b>moving</b> 20:6,	<b>neighborhood</b>
51:6,	51:23	36:15	39:14,
51:13,	<b>meets</b> 52:14	<b>multiple</b>	41:14,
51:19,	<b>MEMBERS</b> 2:1,	41:15	45:19, 46:4
53:10, 54:3	14:18,	<b>Municipal</b>	<b>network</b> 25:3
<b>Market</b> 10:10,	24:14,	5:4, 5:9,	<b>New</b> 1:5,
35:5, 35:6,	38:22,	5:19, 5:22,	1:28, 4:1,
38:7, 50:23	39:20,	6:6	4:7, 5:3,
<b>marketed</b>	39:23,	<b>municipality</b>	6:19, 6:20,
42:3, 46:20	40:8,	8:11	10:2, 17:1,
<b>master</b> 7:19,	40:22,	<b>myself</b> 5:1	27:20,
15:18	41:21,		57:1, 57:5
<b>material</b>	42:18,		<b>next</b> 14:23,
24:17,	55:7, 55:13	<b>&lt; N &gt;</b>	16:20,
48:1, 48:2,	<b>meter</b> 18:4,	<b>Name</b> 9:10,	20:2,
48:3, 48:7	18:7, 18:12	10:11,	25:11,

# ACR OF WNY

## (716) 362-9838

50:4,  
52:20,  
52:21  
nice 38:6  
night 21:6  
nine 12:8  
No. 40:19,  
42:2,  
42:13,  
44:21,  
46:9, 46:10  
None 45:9  
Nope 45:8,  
46:11  
normal 34:21  
Normally  
34:20  
north 19:9,  
38:8  
Notary 1:30,  
57:4, 57:23  
notch 25:16,  
25:17  
noted 5:18  
nothing 4:14,  
53:20  
Notice 1:27,  
2:26  
notices 4:9  
Number 5:5,  
7:5, 23:15,  
24:8,  
39:12,  
39:21,  
40:1,  
40:18,  
40:23,  
41:11,  
41:23,  
42:12,  
44:17,  
45:11,  
45:15,  
46:1, 46:7,  
46:12

< O >  
O. 36:6  
objection  
32:22  
observation  
18:20  
obstacles  
29:16  
occasional  
6:15  
offer 6:12,  
9:4  
office 5:10,  
7:4, 32:12,  
32:13,  
32:14,  
32:18  
officer 7:8  
offices 12:20  
Okay 2:13,  
2:26, 4:16,  
4:19, 4:23,  
7:12, 9:7,  
9:8, 15:11,  
18:1, 22:4,  
27:11,  
30:6, 32:4,  
34:2,  
35:12,  
35:13,  
37:1,  
37:20,  
38:13,  
39:2,  
40:18,  
41:23,  
42:20,  
43:6, 44:4,  
44:14,  
45:10,  
45:15,  
46:1,  
46:12,  
49:23,  
51:13,

54:23,  
55:16  
omit 54:22,  
55:1  
once 35:20  
One 4:13,  
5:16, 8:1,  
8:9, 8:10,  
8:11,  
10:18,  
12:3,  
12:13,  
13:3,  
13:13,  
13:14,  
13:16,  
14:2,  
14:20,  
18:13,  
18:17,  
19:19,  
21:10,  
23:15,  
23:22,  
24:8,  
25:19,  
25:21,  
26:20,  
27:15,  
34:21,  
38:4,  
39:12,  
39:21,  
41:19,  
43:1, 44:1,  
44:17,  
45:11,  
45:20,  
47:22,  
48:15  
one. 18:17  
open 7:13,  
23:12,  
38:21  
operating  
10:6

operations  
42:5  
operator  
52:21  
opinion 29:2  
opinions  
29:22  
opportunities  
9:2  
opportunity  
9:4, 27:7,  
27:9, 33:22  
order 2:15  
organization  
8:12, 26:18  
originally  
23:11  
otherwise  
18:9  
Otto 6:20  
out-bound  
20:21  
overall 38:7  
own 54:20  
owner 42:4,  
42:7

< P >  
P.M. 1:11,  
1:29, 2:16,  
3:2  
Pagan 37:22  
Pagano 2:2,  
2:10, 2:18,  
5:2, 5:8,  
39:2, 44:6,  
55:23  
pandemic  
27:14, 29:6  
parcel 5:14,  
9:19, 14:4,  
31:4, 31:5,  
33:7,  
33:10,  
54:5,

# ACR OF WNY

## (716) 362-9838

54:17,	pertaining	50:19,	16:16
55:3, 55:4,	20:16	52:23, 53:2	potential
55:6	pertinent 6:1	planned 11:13	8:7, 50:18
parcels 33:18	Peterson	Planner 7:6	potentially
parking 16:1,	21:23	Planning	14:8
31:12,	Petitioner	4:11, 4:12,	Power 10:21,
32:5, 32:11	1:20, 3:5,	4:20, 5:17,	38:5
part 8:10,	43:7	20:19,	PRESENT 2:7,
8:13, 13:3,	petitioners	51:11	38:19,
27:5,	3:13	plans 14:6,	44:23
38:17, 55:6	Phase 12:13,	14:14,	presented
past 46:21	13:3, 13:8,	14:15,	7:18, 7:19
PAUSE 4:1	13:9,	22:11,	pressure
pave 16:1	13:12,	23:11,	17:21
paving 15:22,	13:14,	30:17,	prevent 34:7
20:7	13:21,	34:6, 49:3	previous 42:4
pay 10:9,	14:1, 14:2,	plant 12:6,	previously
42:7	14:3,	22:22,	27:18
paying 9:5,	16:16,	26:4,	primarily
26:12	18:13,	26:10,	11:6
peak 21:1,	18:17,	37:12	prior 42:6
21:3	19:9, 33:6,	please 2:17,	probability
PENNARO 37:2	34:21,	7:4	33:8,
people 34:18	48:15,	pleases 36:4	50:20,
per 20:18	51:1, 51:4,	plus 20:12,	50:21,
percent 12:4,	51:16,	38:3, 40:4	51:19
19:20,	51:20,	point 11:19,	probable
24:22,	52:10	13:20,	50:19
35:9,	phone 7:4	16:21	probably
37:17, 51:8	physical	point. 9:1	13:11,
percentage	41:13	policed 50:5	19:1, 19:6,
30:12	picture 27:13	pond 19:2,	35:19,
perfect 32:14	piece 25:22,	19:8	42:9, 50:17
performing	28:17,	ponds 18:15,	problem 15:3,
9:17	29:10,	18:16	30:14,
perimeter	33:14,	portion	30:15,
15:15	43:17,	38:17,	33:23,
period 29:20	49:20	38:20,	34:11,
periods 50:8	pit 18:4	45:18	36:12,
permit 19:13	pizza 35:3	position 54:4	36:14,
permitted	place 47:8,	positions	53:15
3:20, 45:2,	53:2	10:4	problems
49:19	places 49:7	positive	27:15,
person 24:15,	plan 12:13,	29:23	27:16
52:21	15:19,	possible 9:15	proceed 13:21
persons 3:22	19:1, 33:6,	possibly	proceeding

# ACR OF WNY

## (716) 362-9838

57:12	40:9, 42:2,	7:7, 9:7,	14:19,
<b>process</b> 8:3,	42:7,	15:13,	15:12,
19:15,	42:11,	15:17,	35:14,
48:16,	43:10,	17:10,	37:21,
51:1, 55:1	43:17,	18:1,	38:19,
<b>processing</b>	45:1,	23:20,	39:11,
10:19,	45:16,	34:11,	44:16,
28:1, 28:2,	45:17,	36:7, 36:9,	45:7, 46:23
28:15,	46:21,	36:20, 37:1	<b>quick</b> 7:13
28:22	48:5, 48:7,	<b>purposes</b> 9:13	<b>quiet</b> 9:15
<b>produce</b> 26:20	52:18,	<b>pursuant</b> 1:26	<b>quite</b> 42:10
<b>produced</b>	52:20,	<b>pursue</b> 33:12,	
39:13	53:11,	33:22	
<b>product</b> 21:2,	54:14	<b>put</b> 13:20,	< R >
26:21, 35:2	<b>proposal</b>	15:21,	<b>radius</b> 15:4,
<b>productive</b>	5:20, 6:4,	16:17,	15:9
23:17,	6:9, 39:17	18:14,	<b>rail</b> 13:16,
28:12	<b>proposed</b> 6:7	18:16,	13:22,
<b>productivity</b>	<b>provide</b> 9:5,	28:18,	14:21,
27:1	10:3, 37:9	33:14,	15:10
<b>products</b>	<b>provided</b>	39:2, 43:6,	<b>railroad</b>
25:14, 27:8	44:18, 45:6	43:14,	12:1,
<b>prohibit</b>	<b>provision</b>	44:2,	13:19,
32:23	13:19	46:23,	17:3, 17:4,
<b>project</b>	<b>provisions</b>	48:13,	17:15
10:15,	12:9, 13:8,	52:7, 53:6,	<b>ranking</b> 24:21
12:7, 25:9,	13:15, 33:3	53:19, 55:4	<b>rate</b> 19:21
25:17,	<b>proximity</b>	<b>Putting</b> 37:6,	<b>rated</b> 22:2
26:15,	41:15	54:19	<b>rather</b> 32:20
30:15,	<b>Public</b> 1:9,	<b>puzzle</b> 29:10	<b>rating</b> 25:16
31:23,	1:27, 1:30,		<b>RE</b> 1:14
34:3, 42:8	2:14, 9:16,		<b>read</b> 4:19,
<b>projected</b>	38:17,	< Q >	34:5, 47:5,
25:22	57:4, 57:6,	<b>quality</b> 26:20	54:10, 55:7
<b>promote</b> 46:6	57:23	<b>question</b>	<b>readjusting</b>
<b>properties</b>	<b>publically</b>	7:22,	36:14
7:22,	25:5	16:20,	<b>ready</b> 8:6,
39:15,	<b>published</b> 4:3	19:22,	55:19
53:21	<b>pull</b> 24:4,	21:20,	<b>Real</b> 1:14,
<b>Property</b>	48:22	30:8,	1:16, 3:5,
3:14, 8:5,	<b>purchasing</b>	35:16,	3:6, 7:13,
8:8, 8:22,	31:2, 33:18	47:16, 49:5	30:21,
9:22,	<b>pure</b> 35:8	<b>questions</b>	43:7, 43:8
25:23,	<b>Purina</b> 51:10	7:3, 7:16,	<b>realistically</b>
28:17,	<b>PUROL</b> 2:9,	10:2,	53:13
33:15,	4:18, 4:22,	14:16,	<b>realize</b> 44:17

# ACR OF WNY

(716) 362-9838

<b>really</b> 26:5, 32:18, 37:14, 46:22, 50:12, 54:3, 54:21	<b>remove</b> 48:1	39:20,	<b>run</b> 21:14
<b>Realtor</b> 45:3	<b>removing</b> 54:17	40:7, 55:12	<b>run-off</b> 19:21
<b>reap</b> 25:5	<b>rent</b> 45:4	<b>restart</b> 27:17	<b>RYAN</b> 7:9,
<b>reasonable</b> 9:1, 44:18	<b>rental</b> 23:4, 45:1	<b>result</b> 27:19	7:12, 26:8,
<b>Reasons</b> 13:17, 39:15, 41:2, 41:14	<b>reoccurring</b> 8:15	<b>retained</b> 10:13	31:3, 32:7,
<b>receive</b> 4:9	<b>repack</b> 11:7, 12:17	<b>retention</b> 18:14, 19:18	32:16,
<b>received</b> 5:10	<b>representing</b> 10:1	<b>return</b> 9:1, 44:18, 44:19	39:15,
<b>Recently</b> 8:9	<b>request</b> 7:11, 35:20	<b>returns</b> 17:6	40:4, 41:1,
<b>recognize</b> 26:17	<b>requested</b> 41:1, 46:2	<b>review</b> 6:7	44:20,
<b>record</b> 9:10, 9:16, 26:13, 39:4	<b>requesting</b> 3:8, 3:13	<b>reviewed</b> 5:18, 6:1	45:5,
<b>reduced</b> 57:10	<b>require</b> 31:14, 49:3, 51:4	<b>revisit</b> 33:11	45:19,
<b>referral</b> 5:5, 5:10, 5:18, 5:20	<b>required</b> 18:17, 51:11	<b>revive</b> 42:8	48:20,
<b>referred</b> 10:5	<b>requirements</b> 31:9, 52:14	<b>rezoning</b> 9:21	49:5,
<b>refrigeration</b> 12:2, 12:4	<b>requires</b> 28:2, 40:4	<b>Road</b> 1:18, 1:28, 3:3, 3:7, 4:7, 5:3, 11:23, 13:21, 16:17, 21:9, 22:10, 25:19, 36:12, 36:14, 43:9	49:18,
<b>regard</b> 5:19	<b>research</b> 24:12, 37:5	<b>roadway</b> 15:14	50:1, 50:5,
<b>regarding</b> 5:11, 7:3	<b>reseed</b> 48:8	<b>Roberts</b> 25:19	51:1, 51:7,
<b>regardless</b> 51:15, 54:2	<b>reseeded</b> 47:19	<b>role</b> 29:14	51:14,
<b>regards</b> 5:4	<b>resident</b> 26:16	<b>roll</b> 2:17	52:3,
<b>regulations</b> 54:2	<b>Residents</b> 4:4	<b>ROM</b> 1:14, 3:5, 43:7	52:22,
<b>related</b> 45:16	<b>respect</b> 6:3, 10:2	<b>Ron</b> 53:17	53:23,
<b>relatively</b> 32:18, 33:10	<b>respectfully</b> 7:5	<b>roof</b> 11:18, 11:20, 11:21, 12:3	54:16,
<b>relevant</b> 6:4	<b>respond</b> 4:14	<b>room</b> 26:8, 30:7, 54:4	54:21,
<b>relocate</b> 19:3	<b>responded</b> 4:13	<b>rooms</b> 12:19	55:1,
<b>relocated</b> 8:9	<b>response</b> 5:9	<b>roughly</b> 24:23	55:18, 56:8
<b>remain</b> 29:19	<b>rest</b> 35:23, 39:4,	<b>Route</b> 22:10, 23:14	
<b>remember</b> 17:7			<b>&lt; S &gt;</b>
			<b>safe</b> 34:17, 34:18, 34:19
			<b>safety</b> 23:15, 24:8, 34:13
			<b>Sale</b> 42:3, 44:23
			<b>sales</b> 8:7
			<b>saying</b> 15:5, 51:15, 53:2
			<b>says</b> 7:2, 25:9, 44:22
			<b>scheduled</b> 3:1
			<b>Scott</b> 2:2, 5:1, 7:12, 21:18, 43:23
			<b>scratch</b> 48:14
			<b>season</b> 21:3

# ACR OF WNY

## (716) 362-9838

**seasonal** 21:2  
**second** 24:21,  
 38:23, 39:1  
**secretary** 4:8  
**Section** 3:15,  
 3:19, 3:20,  
 12:21,  
 43:11, 47:5  
**secure** 30:2  
**seems** 18:22  
**seen** 24:19,  
 26:19  
**self** 41:16,  
 42:1, 46:13  
**sell** 42:4,  
 45:4, 52:19  
**semis** 49:14,  
 50:8  
**Senator** 23:9,  
 24:7,  
 27:11,  
 37:11  
**send** 4:5  
**senior** 9:11  
**sense** 33:15,  
 53:5, 55:10  
**sent** 36:23  
**separate**  
 39:7, 43:2,  
 49:4  
**separately**  
 35:22  
**serve** 14:1,  
 14:2, 14:3  
**set** 6:19  
**seven** 12:10,  
 13:5  
**seventeen**  
 20:9  
**seventy** 11:11  
**several** 7:23  
**Sewer** 36:16,  
 36:18,  
 36:19  
**shall** 3:22  
**shapes** 13:2

**share** 24:13,  
 29:22  
**sheet** 44:16  
**sheets** 45:5  
**shift** 19:9  
**shopping**  
 10:18  
**Shorthand**  
 57:8  
**show** 12:12,  
 13:5  
**showing** 16:6  
**shows** 28:13,  
 29:16  
**side** 9:3,  
 11:22,  
 17:19  
**sides** 16:14  
**signalization**  
 22:14  
**signalize**  
 22:17  
**significant**  
 6:8  
**signs** 22:12  
**similar** 42:8  
**sir** 22:23  
**site** 12:13,  
 18:18,  
 47:17,  
 48:1, 50:19  
**six** 21:14  
**sixty** 10:3,  
 11:1,  
 11:17,  
 32:10, 52:6  
**size** 51:9  
**slightly**  
 12:15,  
 15:23,  
 18:20  
**slow** 34:3  
**small** 32:19,  
 33:16  
**smaller** 33:9  
**soil** 48:2,

48:3  
**soils** 47:18  
**somebody**  
 26:8, 38:18  
**somehow** 18:8  
**sometimes**  
 50:9  
**somewhere**  
 13:10,  
 20:22, 22:8  
**sought** 40:2  
**space** 32:20,  
 35:4  
**special** 3:23  
**specification**  
 s 25:21  
**spelled** 9:11  
**spoils** 53:17  
**spread** 47:18,  
 48:7,  
 48:18,  
 51:21  
**spreading**  
 53:17  
**spur** 13:16,  
 13:22  
**square** 12:15,  
 13:11,  
 25:10  
**SRM** 1:16,  
 3:6, 43:8  
**SS** 57:2  
**staff** 5:16  
**stage** 49:11  
**staging**  
 11:10,  
 20:20,  
 30:22,  
 31:8, 33:3,  
 49:2, 49:6,  
 49:7, 50:9,  
 50:11,  
 50:15,  
 50:16,  
 51:15,  
 52:11

**standard** 11:2  
**standards**  
 19:17  
**standpoint**  
 29:11, 35:7  
**start** 12:8,  
 38:14,  
 38:15, 39:9  
**started** 22:13  
**starting** 38:7  
**State** 6:19,  
 6:21, 57:1,  
 57:5  
**statement**  
 7:14,  
 39:18,  
 41:8,  
 42:10,  
 44:21,  
 45:3,  
 47:14,  
 47:15,  
 55:4, 55:14  
**States** 6:22,  
 24:22, 25:2  
**statute** 32:1  
**stays** 34:15,  
 48:8  
**steelworker**  
 38:4  
**Steinhilber**  
 6:20  
**steps** 11:20  
**stipulation**  
 39:3, 44:3,  
 47:1, 47:2,  
 54:9  
**stop** 10:18,  
 16:10,  
 22:12, 34:2  
**stopping**  
 16:15  
**storage**  
 10:22,  
 11:6,  
 24:16,

# ACR OF WNY

## (716) 362-9838

24:21,	2:9, 4:18,	They'll 13:6,	25:17, 30:1
25:12,	4:22, 7:7,	24:8	Tops 49:9,
28:2, 28:9,	9:7, 15:13,	they've 22:1	50:6
28:15,	15:17,	thinking	total 12:8,
28:23,	17:10,	14:11,	12:11,
37:7,	18:1,	14:21,	12:12,
41:16,	23:20,	32:13,	20:23
49:12,	34:11,	36:18	totally 37:5
50:11	36:7, 36:9,	Thirty-eight	tough 22:20
stories 12:22	36:20, 37:1	10:4	Tourism 3:17,
storing 49:13	supervisors	thirty-five	43:13
straightening	10:8	11:9	TOWN 1:5,
14:9, 34:8	support 12:18	THOMAS 2:3	1:25, 1:27,
strategic	supposed 32:2	though 47:16	2:13, 2:27,
28:12	switch 13:20	thoughts	3:3, 4:3,
Street 5:7,	system 12:5,	29:22, 36:2	4:6, 5:2,
5:13, 14:5,	17:6	thousand	6:11, 6:22,
17:8,		12:14,	8:10,
21:10,		13:11	38:11,
22:5,	< T >	three 8:7,	51:4, 56:2,
22:12,	talked 23:5,	13:6, 23:1,	56:4, 56:6
22:21,	36:12,	37:3,	tracks 12:1,
38:10	37:16	40:23,	17:3, 17:4,
strictly 6:15	tall 11:18,	46:2, 46:8,	17:15, 18:6
strong 26:10,	11:23,	49:13	tractor-trail
26:11	32:10	through the	er 49:2,
Structure	tax 5:14,	21:6,	49:6
10:12,	43:13, 45:1	42:23,	traffic
33:9, 41:3,	taxes 8:15,	44:16	20:21,
53:11	8:16, 42:7,	throw 40:14	22:3, 22:6,
structures	42:11	Thruway 26:7,	29:15
3:21	tear 16:18	29:1	trailer
stuff 6:23,	technically	tie 16:9,	20:19,
40:9	18:2	17:12,	24:5,
sub 18:7	temperature	17:14,	30:22, 31:8
subject 5:20,	11:5	17:18	trailers
33:3	tenure 26:11	ties 17:5	16:2,
submitted	terrible 23:3	to see 38:6	32:17,
7:5, 8:18	Thank you	today 19:22,	49:11,
substantial	37:17,	23:5, 40:5	49:16, 52:9
41:1,	37:19,	together 43:1	transcript
44:19,	44:14,	tonight 7:18,	57:14,
45:18	53:17, 56:8	9:23, 29:21	57:15
superintenden	Thanks 37:18,	Top 11:18,	transparent
t 36:13	53:15,	11:21,	52:1
SUPERVISOR	55:17	25:16,	tried 23:20,

# ACR OF WNY

(716) 362-9838

42:4  
**truck** 16:1,  
 22:2, 22:6  
**trucking**  
 21:12, 50:6  
**trucks** 14:22,  
 20:17,  
 20:22,  
 20:23,  
 21:4, 22:9,  
 23:2, 24:1,  
 24:2  
**true** 46:7,  
 48:21,  
 50:11,  
 57:14  
**truly** 48:9  
**truth** 17:11  
**try** 14:17  
**trying** 8:4,  
 42:8  
**turn** 23:4,  
 52:19  
**turned** 15:8  
**turning** 15:6  
**twenty** 51:8,  
 55:3  
**twenty-nine**  
 24:22  
**two** 7:21,  
 13:5, 13:9,  
 13:12,  
 13:14,  
 13:21,  
 14:1,  
 16:18,  
 17:22,  
 19:10,  
 23:1,  
 26:20,  
 33:6,  
 34:21,  
 40:1,  
 40:18,  
 45:15,  
 49:13,

51:1, 51:4,  
 51:17,  
 52:11  
**two.** 14:3,  
 51:20  
**type** 23:16  
**types** 11:2  
  
**< U >**  
**UIFC** 25:15  
**unable** 51:3  
**understand**  
 24:9, 34:4,  
 55:5  
**undesirable**  
 39:12  
**unfortunately**  
 8:6  
**unique** 45:17  
**United** 10:12,  
 25:2  
**units** 41:16  
**unless** 38:18  
**unloading**  
 50:3  
**unnecessary**  
 6:16  
**unusual** 4:15,  
 52:22, 53:3  
**up-to-date**  
 40:9  
**updated** 20:5  
**uses** 3:20  
**using** 30:23  
**utilities**  
 8:16, 8:17  
  
**< V >**  
**vacant** 33:19,  
 39:3,  
 43:15,  
 47:19,  
 54:15  
**value** 44:23

**variances**  
 3:14, 6:14  
**varying** 22:6  
**vehicles**  
 34:13  
**verbatim** 57:7  
**versus** 6:20  
**VI** 3:19  
**via** 3:23, 4:6  
**violation**  
 3:18  
**visual** 18:19  
**voiced** 37:4  
**vote** 39:7,  
 42:21,  
 43:1, 43:3,  
 43:4, 44:5,  
 55:2, 55:19  
**voting** 55:2  
  
**< W >**  
**wage** 10:10  
**waiting** 24:3,  
 24:4  
**Wal-mart** 49:8  
**wall** 12:23  
**wanted** 15:2,  
 29:22,  
 40:13,  
 51:20  
**wants** 7:10,  
 28:18  
**warehouse**  
 3:12, 5:13,  
 10:6,  
 10:21,  
 11:4,  
 12:16,  
 25:20,  
 28:18,  
 28:19,  
 31:10,  
 33:1, 33:7,  
 33:9,  
 33:14,

53:11  
**warehouses**  
 10:19,  
 24:19  
**warehousing**  
 46:5  
**warm** 21:3  
**water** 17:1,  
 17:6,  
 17:14,  
 17:20,  
 17:21,  
 17:22,  
 18:9,  
 18:14,  
 36:11,  
 36:17  
**website** 4:3  
**weekend** 50:10  
**weeks** 37:3  
**welfare**  
 12:18,  
 12:21  
**Wells** 28:3,  
 28:11,  
 29:7,  
 29:17,  
 39:16,  
 41:15,  
 51:10  
**West** 1:18,  
 3:7, 5:6,  
 5:13, 43:9  
**wetland** 19:11  
**wetlands**  
 18:22  
**Whatever**  
 29:13,  
 29:15,  
 38:10  
**whatsoever**  
 12:6  
**wheel** 29:1  
**whether** 33:4,  
 39:12,  
 40:2,

# ACR OF WNY

(716) 362-9838

40:23,	wondering	Zoning 1:7,
41:23, 51:9	18:1	1:25, 2:1,
whole 15:14,	word 35:19,	2:14, 2:27,
52:8	47:1	3:1, 4:8,
wide 25:12	words 48:13	5:2, 5:4,
widen 21:10	work 14:12,	5:9, 5:15,
will 4:2,	31:22, 55:9	7:11,
9:21, 10:3,	working 7:23	30:10,
11:4,	works 36:4	30:18,
11:22,	world 25:4,	31:12,
12:1, 12:5,	26:23,	33:11,
13:2, 13:3,	27:1, 37:8	38:22,
13:23,	worldwide	39:4,
14:2, 14:3,	37:6	39:20,
16:5,	worry 29:4	43:18,
16:13,	write 52:16	46:23,
17:20,	writing 34:5,	47:7,
17:22,	57:10	48:20,
19:18,	written 4:5	49:4,
19:20,		49:18,
23:12,		54:13,
29:23,	< Y >	55:7, 55:13
37:16,	yards 39:16,	zonning 3:11
38:14,	46:5	
39:2,	year 16:18	
39:13,	years 8:1,	
42:20,	8:3, 8:23,	
46:3, 46:5,	10:17,	
47:6,	25:11,	
50:23,	26:22,	
54:12	38:3, 42:3,	
William 22:21	42:5, 52:20	
Williams 5:6,	yellow 18:3	
5:13, 15:8,	Yep 51:6	
21:13,	York 1:5,	
21:15,	1:28, 4:1,	
22:15	4:7, 5:4,	
willing 36:9	6:19, 6:21,	
Willow 1:28,	57:1, 57:5	
3:3, 4:7,	yourself 53:6	
5:3		
wish 51:2		
within 5:21,	< Z >	
35:19	zero 11:10,	
without 19:4,	19:20	
31:2, 33:19	zone 31:8	