

Town of Hamburg  
Planning Board Work Session  
April 4, 2007

The Town of Hamburg Planning Board met for a Work Session on Wednesday, April 4, 2007 at 7:30 p.m. in Room 7B of the Hamburg Town Hall, S-6100 South Park Avenue. Those attending included Chairman Gerard Koenig, Steve McCabe, Paul Eustace and Richard Taber.

Others in attendance included Andrew Reilly, Sarah desJardins, Attorney Donald McKenna and Attorney Michael Fruth.

Excused: Karen Rogers, David Phillips and Sasha Yerkovich

**Southwestern Senior Apartments – Southwestern Boulevard**

Mr. Michael Connors of Clover Construction Management appeared on behalf of the project. He informed the Board that the applicant has a verbal approval of the project from the D.O.T. regarding its drainage easement running through the property and is awaiting a written approval to submit to the Board. He further noted that the site plan will be revised very slightly to reflect the D.O.T.'s requirement that the driveway onto Southwestern Boulevard be better aligned with the road across the street from this parcel. Mr. Reilly stated that he was planning to meet with the D.O.T. regarding this project on April 5.

Mr. Connors confirmed that the Engineering Department had not seen the revised site plan as of April 4 and that he would submit it to that department for its review. Mr. Reilly stated that the Engineering Department's review of and satisfaction with the revised plan is crucial to the applicant receiving any approvals from the Board at its next meeting. It is also imperative that the Board receive the D.O.T. approval letter.

Mr. Connors stated that he has met with representatives of the Frontier School Board regarding a sanitary easement matter that is now resolved. He indicated that he has a letter from the School Board's representative verifying that the easement matter has been resolved and will submit that letter to the Board for its review.

Mr. Reilly stated that this project will be on the Board's next agenda for potential approval.

Engineering comments are attached.

**Stonebridge Subdivision – Newton Road & McKinley Parkway**

Mr. Mark Alienello appeared on behalf of the project. He stated that he has met with the Engineering Department and has revised the Preliminary Plat Plan based on comments received from that department.

Mr. Alienello stated that the applicant has resolved the sewer issue with the County. The County will own and maintain the gravity sewer within the subdivision, while the pump station and forced main will be owned and operated by the homeowners' association.

Mr. Reilly stated that the Coordinated SEQRA review process was initiated and the 30-day time period for regulatory agency input will expire just before the Board's next meeting. In addition, he noted that the Conservation Advisory Board still has concerns regarding the gas line blow offs and has asked for correspondence from National Fuel acknowledging that it is aware of the project and does not think the project will create a health or safety issue for nearby residents. Mr. Alienello responded that National Fuel has seen the plan for this subdivision and has indicated to him that a letter with its comments will be forthcoming.

Chairman Koenig stated that he is concerned about the location of the mail pick-up area. He noted that if someone were to pull into the subdivision from McKinley Parkway and want to pick up his mail, it would be easy to drive in to the pull off area, get his mail and then continue into the subdivision. However, if someone were to drive from the interior of the subdivision to the mail pick-up area and want to get the mail and return the way he came, it would be difficult and potentially dangerous. Mr. Alienello responded that he will research other alternatives for the location and/or layout of the mail pick-up area.

Mr. Alienello confirmed that the applicant will pay the Recreation Fee of \$1,000.00 per lot in lieu of providing a recreation area for the subdivision.

Mr. Reilly stated that this project is ready for a public hearing to be scheduled for the Board's next meeting and that the applicant should anticipate concerns from the public regarding drainage problems in the area. He further noted that, based on the outcome of the public hearing and review letters the Board receives, it can make a SEQRA determination at that meeting or table the request for additional information.

A public hearing will be scheduled for the Planning Board's April 18, 2007 meeting.

Engineering comments are attached.

**North Forest Office Providers:**

Mr. Reilly reminded the Board that this project received a rezoning from the Town Board that was contingent upon the Planning Board approving a site plan that meets the conditions of the rezoning. He further stated that the Planning Board reviewed the latest version of the sketch plan at its last meeting and gave the applicant direction at that time. One of the Board's concerns was the proposed dead ends in some of the parking areas that the Board felt reduced the maneuverability in those parking areas. Mr. Reilly noted that he would be meeting with the D.O.T. on April 5 to make sure they agree with the proposed connection to Riley Boulevard, which has not yet been constructed. He also stated that there are still outstanding Engineering concerns to be addressed by the applicant.

Mr. Michael Borowiak from Nussbaumer & Clarke spoke to the Board about this project as a representative of the applicant. He stated that the plan before the Board is ready to go and that the dead ends in the parking area will have to remain, as the applicant needs the area where a turn-around could be located for detention. He did, however, agree to pass along to the applicant the Board's concern.

It was determined that the applicant will have to appear before the Zoning Board of Appeals for a variance for the number of parking spaces provided. Based on the amount of gross floor area proposed, 671 parking spaces are required, while the applicant is proposing 624 parking spaces.

Mr. Reilly stated that with the Planning Board's sketch plan direction, the applicant will proceed with a full site plan submittal so the Board can move forward with its approvals of the project. He noted that at some point in the process the Planning Board will schedule a public hearing for this project. After a discussion among the Board members, Mr. Reilly and Mr. Borowiak regarding when the public hearing should be scheduled, it was decided that a public hearing would be scheduled for April 18, 2007.

Engineering comments are attached.

**Sherwood Meadows Townhomes**

Mr. Michael Borowiak appeared on behalf of the townhouse project proposed as an extension of Heatherwood Drive.

Mr. Reilly stated that the Hamburg Assessor informed him that this project is technically not located in either the Frontier or Hamburg school district because it is part of the Hopevale property, which is its own school district. Mr. Borowiak

responded that he will investigate this issue and resolve it.

Mr. Reilly reminded the Board that it saw this sketch plan for several months and then the applicant put the project on hold while he attempted to purchase additional land adjacent to this property for a detention area. The applicant was not successful in purchasing the additional land and is therefore proceeding with the project without it. The plan before the Planning Board at this point is the preliminary plat plan, as townhouse projects are considered subdivisions.

Mr. Reilly stated that he recommends that a public hearing not be scheduled for this project yet, as the submitted preliminary plan has not been completely reviewed by the Planning and Engineering departments. In addition, additional information is needed regarding drainage and traffic. He recommended that the Board authorize the Planning Department to send out the necessary paperwork to start the SEQRA process in order to gather input from other agencies.

Mr. McCabe made a motion, seconded by Mr. Eustace, to authorize the Planning Department to send out the necessary paperwork to request Lead Agency status under SEQRA and initiate the Coordinated Review process. Carried.

Mr. Reilly verified with Mr. Borowiak that the applicant will work with the Engineering Department to make sure it has enough information regarding water, sewer and drainage to be comfortable with the plan as submitted. He further requested that the applicant provide a traffic report on what the expected traffic volumes are likely to be from the project, as the residents in the area will probably have concerns regarding the additional traffic generated by this project.

In response to a question regarding the emergency means of egress to Hopevale, Mr. Borowiak stated that it will be gated. Mr. Reilly stated that the Board will require a letter from Hopevale agreeing to the proposed emergency access to Hopevale from the proposed project.

It was determined that the applicant will provide fees in lieu of recreation land. In addition, a trail system will be constructed that will tie in to the Town-owned land adjoining this parcel.

In response to a question regarding the wetland area on the property, Mr. Borowiak stated that it is jurisdictional and that the applicant plans to do minimum disturbance for fill.

Mr. Borowiak agreed to submit renderings of the proposed townhomes. He further stated that the applicant will buffer the residents whose homes back up to the property and will show how the property behind those residents' homes will be drained.

It was determined that a public hearing may be scheduled for May and that this

project will be advertised as a 58-lot subdivision, as this parcel is being split off of the Hopevale property (one lot Hopevale, one lot Homeowners and 56 building lots).

The applicant will return on April 18, 2007 for further review.

Engineering comments are attached.

**Additional discussion:**

1. The Board discussed the proposed wind turbine project proposed adjacent to the existing wind turbine project in Lackawanna on the old Bethlehem Steel property. It was determined that the proposal's representatives will present the concept plan to the Board at its April 18, 2007 meeting and will be looking for Planning Board input.
2. The Board discussed the Woods at Versailles subdivision, Part IV. Mr. Reilly explained that he met with the applicants and they are planning to revise the subdivision layout in an attempt to comply with the current zoning regulations as much as possible, although they may require a small number of area variances. The project will be on the Board's April 18, 2007 agenda.
3. The Board discussed an up-coming proposal for a Holiday Inn Express to be located in the back of Commerce Park on Camp Road. The applicant received a variance on April 3, 2007 to construct a 62-foot tall building (the C-2 zone restricts buildings to 35 feet in height). Mr. Reilly stated that this variance is null and void because when the Town Board rezoned that land to C-2, it placed a height restriction on all buildings of 35 feet. He further stated that projects that require site plan approval cannot receive a variance from the Zoning Board of Appeals before the Planning Board recommends on the variance request.
4. Mr. Reilly told the Board that the Draft Environmental Impact Statement has been submitted for the proposed Villas at Brierwood and that the first step in the process is to determine its completeness (whether or not the document covers every issue listed in the Scoping Document). Once the document is accepted as complete by the Town Board, each Planning Board member will receive a copy of the document to review. This will be on the Board's April 18, 2007 agenda for a recommendation to the Town Board on the document's completeness.

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The meeting was adjourned at 8:45 p.m.

Respectfully submitted,  
Paul Eustace, Secretary  
Planning Board