

Town of Hamburg

Planning Board Work Session

June 6, 2007

The Town of Hamburg Planning Board met for a Work Session on Wednesday, June 6, 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, Richard Taber, Karen Rogers and David Phillips.

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

Excused: Sasha Yerkovich

Sherwood Meadows Townhomes

Mr. Andrew Gow of Nussbaumer & Clarke appeared before the Board on behalf of the project.

Mr. Reilly reviewed the history of this project, noting that the applicant is looking for approval of SEQR and of the Preliminary Plat at the Board's next meeting. He further noted that the Engineering Department has indicated that it is waiting for the applicant to provide correspondence from the County that there is sufficient sewer and water capacity at the site. Mr. Gow responded that the applicant has obtained correspondence from Erie County District #3 indicating that there is sufficient sewer capacity and the applicant's engineer has performed flow calculations and has determined that there is adequate water capacity.

Mr. Gow stated that the applicant has met with the neighbors and has agreed that during construction as many trees as possible will be saved. A berm will not be constructed, but the existing vegetation in the area will be enhanced.

It was determined that the applicant must supply the Planning Board with correspondence from Frontier School District indicating that the children in this subdivision would be able to attend that school.

Chairman Koenig noted that the Conservation Advisory Board is disputing the wetland delineation submitted by the applicant. Mr. Reilly responded that the Army Corps of Engineers has not yet approved the applicant's delineation, but the Planning Board can issue a SEQR Negative Declaration based upon the applicant's delineation. However, if the Corps does not approve the applicant's delineation, the applicant will have to revise the layout and come back to the Planning Board for approval.

Engineering Department comments are attached.

Oakwood Avenue 11-lot Subdivision

Mr. Andrew Gow of Nussbaumer & Clarke appeared before the Board on behalf of the project. Mr. Reilly noted that the applicant will be appearing before the Zoning Board of Appeals on July 3, 2007 for an interpretation of the Town Code regarding required frontage for zero lot-line duplexes in an R-2 zone, as the applicant does not agree with the Building and Planning Departments' interpretation of the Code.

Mr. Reilly stated that the Fire Department, Planning Department and Traffic Safety Advisory Board are concerned about the sight distances on Lake Avenue where the entrance to the apartment complex is proposed. He further noted that the neighbors in that area have drainage concerns.

Engineering Department comments are attached.

Verizon Wireless

Chairman Koenig stated that the applicant has asked to be tabled until the Board's July 11, 2007 meeting. The applicant is continuing to research alternate sites for the cellular tower.

Engineering Department comments are attached.

Parker Commons Subdivision

Mr. Andrew Gow of Nussbaumer & Clarke appeared before the Board on behalf of the project.

Mr. Reilly reminded the Board that this subdivision was approved by the Planning Board and the Chairman signed the plans in August 2006. Since that time, due to engineering issues, part of the planned berm cannot be installed and the applicant is asking for the Board's approval of the change to the approved plan. In addition, the applicant is looking for approval of the landscaping to be installed throughout the subdivision.

Mr. Phillips made a motion, seconded by Mr. Eustace, to approve the revised Preliminary Plat for the Parker Commons Subdivision. Carried.

Mr. Reilly noted that this re-approval does not affect the previously issued Negative Declaration for this project.

Engineering Department comments are attached.

Camp Road Development Two-Lot Subdivision

Chairman Koenig stated that a public hearing for this proposed subdivision will be scheduled for July 18, 2007.

Mr. Reilly noted that the submitted legal description is only for the medical office building half of the property, and the Board will need the legal description for the entire parcel to be subdivided.

Camp Road Development medical office building

Chairman Koenig stated that the public hearing for site plan approval of the medical office building will be scheduled for June 20, 2007 and site plan approval will not be granted until the two-lot subdivision public hearing is held and approval is granted for the subdivision on July 18, 2007.

Engineering Department comments are attached.

John & Julie Kuebler - Request to rezone property on the southeast corner of McKinley Parkway and Dorchester Parkway from C-3 and R-2 to HC.

Mr. John Kuebler appeared before the Board on behalf of the project.

Mr. Reilly explained that when the existing Comprehensive Plan was adopted in the mid-1990s the zoning on McKinley Parkway between Seven Corners and the McKinley Mall was addressed. It was determined at that time that a new commercial zoning district (HC) should be established for that area and subsequently the Town created the new commercial district. However, some of the property owners in that area did not want their property rezoned to HC and therefore the Town left the existing zoning as it was. At this time, the Kueblers would like to rezone their two parcels to HC, which is in accordance with the Comprehensive Plan.

Mr. Reilly stated that the Planning Board can issue its recommendation to the Town Board at the Planning Board's next meeting.

Engineering Department comments are attached.

Lucas 14-lot Subdivision

Mr. Frank Russo, applicant, and Mr. Keith Marquis of Marquis Engineering appeared before the Board on behalf of the proposed subdivision.

Mr. Reilly stated that this subdivision was proposed a number of years ago but could not be acted on because of a problem with the sewers being extended. He further noted that the Engineering Department has indicated that the sewer problem is not yet resolved, although it will be resolved soon. Mr. Russo stated that it is his understanding that the plans and financing are in place for the sewer to be extended.

Chairman Koenig confirmed with the applicant that this subdivision layout has not changed from the layout presented previously.

Chairman Koenig stated that a public hearing will be scheduled for July 18, 2007.

Engineering Department comments are attached.

Benderson Development ("Hamburg Crossings")

Mr. Tony Battista appeared before the Board on behalf of the project.

Mr. Reilly informed the Board that this is a request to rezone land from M-2 to C-2, a positive declaration will be issued by the Town Board and a draft Environmental Impact Statement will be prepared by the applicant. He further stated that the applicant will be looking for input and direction from the Planning Board regarding the project.

Mr. Reilly explained that when the Town approved Commerce Park and rezoned the property to C-2, conservation areas were designated in the back of the property and the zoning of these conservation areas was to remain R-A. Benderson is also offering large buffer zones in the back of the area it proposes to develop and Mr. Reilly stated that the Board should think about whether the Town should rezone those buffer areas to R-A to be consistent with the existing buffer zones in the area that are already zoned R-A.

Mr. Reilly noted that the Engineering Department has indicated that the plans for this project and the plans for the proposed Holiday Inn Express project do not match up regarding the location of the roadway that will connect the two projects.

Mr. Battista stated that the applicant is in the process of performing a Traffic Impact Study.

Mr. Taber asked Mr. Battista why so many buildings are proposed when there are so many existing vacant buildings in Town. Mr. Battista responded that it is the nature of the business and that development is tenant-driven. He further stated that Benderson is talking to prospective tenants for the anchor buildings

and the rest of the project will be developed in phases, depending upon demand. The hotel would be owned by Benderson and provide approximately 110 rooms.

Mr. Taber asked Mr. Battista if the design of this project could include walkability for the customers. Mr. Battista responded that walkability would be difficult in a project this size because the parking ratios for the anchor tenants have to be met by the developer, which will require large amounts of paved areas.

Engineering Department comments are attached.

Silvestri Architects - Request for site plan approval of a Holiday Inn Express to be located at 3565 Commerce Place.

It was determined that the Engineering Department has indicated that before this project is approved, the road must be designed and approved. It was further determined that the applicant received a height variance from the Zoning Board of Appeals in April 2007, as well as a variance for the front yard setback.

Chairman Koenig stated that this project will be on the Board's next meeting agenda for further review.

Engineering Department comments are attached.

Villas at Brierwood

Mr. Eric Krull appeared before the Board on behalf of the proposal.

Chairman Koenig stated that Mr. McCabe has submitted written input on the draft Environmental Impact Statement and that the other members of the Board have expressed their opinions previously. Mr. McCabe's comments were given to Mr. Krull to address in the Final Environmental Impact Statement.

Mr. Krull stated that the Town Board held a public hearing on the proposal and only a few people attended. He further stated that the applicant is working on the FEIS and will incorporate any comments received from the public and the Boards into the document and address those comments received. It was determined that the public comment period will remain open until June 14, 2007.

Additional Business

The Board determined that its July meetings will be held on July 11 and July 18, and its August meetings will be held on August 1 and August 15.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Paul Eustace, Secretary
Planning Board