

Town of Hamburg
Planning Board Work Session
July 11, 2007

The Town of Hamburg Planning Board met for a Work Session on Wednesday, July 11, 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, Sasha Yerkovich and David Phillips.

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

Excused: Richard Taber, Karen Rogers

Oakwood Avenue Subdivision

Mr. Reilly advised the Board that the applicant asked to be removed from the agenda, as he has not yet appeared before the Zoning Board of Appeals for an interpretation of the Town Code.

Mrs. Yerkovich made a motion, seconded by Mr. Eustace, to table the request. Carried.

Engineering Department comments are attached.

Verizon Wireless Cell Tower proposal

Mr. Reilly advised the Board that the applicant has asked to be removed from the agenda and placed on the August 1, 2007 agenda because research is still being done regarding possible alternate cell tower sites.

Mr. McCabe made a motion, seconded by Mr. Eustace, to table this request until the August 1, 2007 meeting. Carried.

Camp Road Medical Office Building

Mr. Doug Hutter of Zaxis Architectural appeared before the Board on behalf of the project.

Mr. Reilly stated that the 239-M response from Erie County Department of Environment & Planning has been received regarding this project. He also noted that the Planning Department received correspondence from the Department of Environmental Conservation, which indicates that the site appears to be within an archaeologically sensitive area. Mr. Reilly stated that the applicant will have to satisfy the Department of Environmental Conservation's concerns regarding potential archeologically sensitive areas on the site if any approvals are required from that agency.

Mr. Phillips made a motion, seconded by Mrs. Yerkovich, to issue a Negative Declaration for the Camp Road Medical Building project and approve the project with the following conditions:

1. The applicant shall provide a cross-access easement between the medical building site and whatever development is eventually proposed for the other half of the parcel.
2. The site landscaping plan shall be approved by the Planning Department.
3. The building's appearance shall conform to the building elevations presented to the Planning Board on June 20, 2007 and the sides and rear of the building will mimic the look of the front of the building.
4. Approval is subject to the conditions of the Engineering Department's comment letter dated July 11, 2007.

Carried.

Engineering Department comments are attached.

Mission Hills Development

Mr. Cliff Krum of Greenman-Pederson appeared before the Board on behalf of the project.

Mr. Krum stated that approximately one year ago the Planning Board reviewed this proposed development and gave the applicant sketch plan direction. Since that time, the plan has been updated somewhat. An emergency means of egress with a break-away gate has been added to the plan and would be located in an area near the adjacent mobile home park. Additionally, when the wetlands were delineated, it was learned that the wetland area is not as large as was originally thought and therefore it allowed the applicant to connect the public road serving the larger lots to the private road serving the smaller lots.

Mr. Phillips confirmed with Mr. Krum that a letter will be submitted to the Board indicating that the adjacent property owner agrees to the emergency connection between the two developments.

Chairman Koenig stated that the fire department is concerned about whether the proposed means of emergency egress would be accessible to fire department vehicles. Mr. Krum responded that the applicant will research that and make sure fire trucks can get through the emergency exit.

Chairman Koenig noted that the Board has a petition from several residents asking for a buffer between the proposed development and the existing mobile home park. He stated that it is his opinion that a buffer between two residential areas is not warranted.

Chairman Koenig asked if this development would be considered a cluster development. Mr. Reilly responded that, because the property is zoned R-4, this type of development is allowed under that zone and therefore it would not be considered a cluster development.

Mr. Krum stated that the development is proposed to be set back from the railroad tracks a distance of 100 feet.

Mr. Reilly reminded the Board that when this site was approved for a mobile home park years ago, an Environmental Impact Statement was prepared and SEQR Findings were made by the Planning Board. Because the development proposed for this site is much different from that which the Board approved previously, a Supplemental Environmental Impact Statement (SEIS) will be prepared that will address issues that have changed, such as the location of the wetlands area. The Planning Board will then make a decision on the SEIS and make any additional Findings it deems appropriate. Once the SEQR process is complete, the Board will proceed to site plan and subdivision approval.

In response to a question regarding the content of the SEIS, Mr. Reilly stated that the SEIS will incorporate the previous DEIS by reference, as well as updates to information regarding wetlands, traffic, sewer, water, etc. He further requested that the Planning Board members begin thinking about any other issues they would like the applicant to update in the SEIS.

Mr. Phillips asked Mr. Krum if recreation areas are proposed in the development. Mr. Krum responded that there is a large amount of open space on the site. He further noted that two Homeowners' Associations are proposed; an overall Homeowners' Association would be established for the entire development to deal with the commonly-owned green area and a Homeowners' Association

would be established for the smaller homes on the private road to deal with issue such as the maintenance of the private road.

Mr. Krum stated that the applicant will deed the open space to the Town or the Homeowners' Association can own it. Mr. Reilly noted that when the site was originally approved some years ago for development, it was agreed that the applicant would provide passive as well as some active recreation for the residents. Additionally, the applicant was to pay the recreation fee to the Town and the Town was not interested in owning the green areas.

Mrs. Yerkovich made a motion, seconded by Mr. Eustace, to table this request until the July 18, 2007 meeting. Carried.

Engineering Department comments are attached.

South Park Woods

Mr. Reilly stated that the applicant has asked to have this project removed from the Board's agenda until August 1, 2007.

Mrs. Yerkovich made a motion, seconded by Mr. Eustace, to table this request. Carried.

Villas at Brierwood

Mr. Reilly reported that the Final Environmental Impact Statement has been accepted by the Town Board and that a public hearing will be held on July 16, 2007 on the amendment to the Comprehensive Plan that would be required in order for the Villas at Brierwood project to move forward. He further stated that the Town Board may issue a Findings Statement on July 16, 2007 and that the Planning Board's input is requested by the Town Board on the proposed Findings.

Carubba Collision

Mr. Reilly stated that Carubba Collision proposes to occupy the former Meyer's RV property on Camp Road across from Legion Drive. He further noted that a Special Use Permit and site plan approval will be required. Mr. Reilly stated that,

because the property lies in the Camp Road Overlay District, the Planning Board can ask the applicant to enhance the aesthetics of the site.

Mr. Reilly noted that the number of parking spaces required is based on the number of bays and what the building will be used for. In addition, the Engineering Department has indicated that the large stone area on the site must be either paved (if vehicles are to be stored there) or grassed.

Chairman Koenig stated that dumpsters should be shown on the site plan.

It was determined that this project will be placed on the Board's July 18, 2007 agenda.

Engineering Department comments are attached.

Monckton Drive Commercial Building

Mr. John Schenne, engineer and Mr. Scott Nunweiler, applicant appeared before the Board on behalf of the proposed subdivision.

Mr. Schenne stated that the applicant proposes to build a commercial building and office space, and that it involves approval of a two-lot subdivision, as well as site plan approval. He further noted that the commercial building and office would be constructed on one of the lots and the second lot would be marketed for sale.

Mr. Harold Monckton, owner of the property, showed the Board members a plan for a two-lot subdivision he believes was approved in 1968 for this property.

Mr. Reilly stated that even if the subdivision was approved in 1968, the Town does not have any record of that and therefore a two-lot subdivision should be pursued by Mr. Monckton at this time. He further informed Mr. Monckton that subdivision approval will not delay the project, as a public hearing is required for site plan approval as well as for subdivision approval and the Board can hold both public hearings at the same time.

Mr. Reilly suggested to Mr. Monckton that if he wishes to, he can petition the Town Board to waive the fee for subdivision approval, as he (Mr. Monckton) feels the subdivision was previously approved.

Mr. Reilly informed the applicant that a delineation of the wetlands will have to be performed for this site at some point in the approval process in order for any permits to be issued.

Mr. Reilly stated that the two plans submitted to the Board for this proposal should be combined showing the turn-around, the subdivision of the land and the proposed development and parking spaces.

Mr. Schenne stated that the proposal is for a 6,000 sq.ft. storage building and a +/- 1,200 sq.ft. office. The applicant proposes to store his concrete business equipment and concrete materials in the building and proposes no outside storage. No dumpster is proposed.

It was determined that this project will be placed on the Board's July 18, 2007 agenda.

Engineering Department comments are attached.

6310 Southwestern Boulevard

Mr. David McNeight appeared before the Board on behalf of the project.

Mr. Reilly informed the Board that the existing building on the site was previously a bar/restaurant that closed many years ago. The applicant purchased the property and wishes to re-open the building as a bar/restaurant. Because the use was and remains non-conforming (the property is zoned residential), the applicant had to obtain a use variance from the Zoning Board of Appeals to extend the non-conforming use. One of the conditions of ZBA approval was that the applicant receives site plan approval from the Planning Board.

Mr. Reilly noted that, because the site is located in the Southwestern Boulevard Overlay District, the Board will be looking for the applicant to enhance the site as much as possible. Additionally, the existing parking spaces along Southwestern Boulevard are not permitted and will have to be eliminated.

Chairman Koenig stated that the parking area will have to be paved and marked, as the Town does not allow stone parking lots. Mr. McNeight responded that blacktop millings were placed on the parking lot and Mr. Reilly confirmed that the Town has allowed that in the past.

Mr. Reilly stated that the number of required parking spaces will be based upon the number of seats the applicant plans to have in the facility and that the Town requires two parking spaces for every five seats proposed. Mr. McNeight responded that there will be approximately 80 seats in the facility and therefore it was agreed that 32 parking spaces will be required.

Mr. Phillips advised Mr. McNeight to locate the sign for the business on the site plan. In addition, he asked Mr. McNeight if the two other structures located on the property will remain. Mr. McNeight responded that the two other structures will remain.

It was determined that this project will be placed on the Board's July 18, 2007 agenda.

Engineering Department comments are attached.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Paul Eustace, Secretary

Planning Board