

Town of Hamburg
Planning Board Meeting Minutes
December 19, 2007

The Town of Hamburg Planning Board met in regular session on Wednesday, December 19, 2007 at 7:30 p.m. in Room 7B of the Hamburg Town Hall. Those attending included Chairman Gerard Koenig, Secretary Paul Eustace, Steve McCabe, Karen Rogers, David Phillips and Richard Taber.

Others in attendance included Andrew Reilly, Richard Lardo, Attorney Michael Fruth, Attorney Don McKenna and Councilman D. Mark Cavalcoli.

Excused: Sasha Yerkovich

Public Hearing, 7:30 PM, Camp Road Two-Lot Subdivision

Mr. Eustace read the following Legal Notice of Public Hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on a two-lot subdivision known as Camp Road Two-Lot Subdivision to be located on the east side of Camp Road, north of Sowles Road, on December 19, 2007 in Room 7B of Hamburg Town Hall at 7:30 P.M.”

Mr. Doug Hutter of Zaxis Architectural and Pat McFeely of McGuire Development appeared on behalf of the proposed subdivision. Mr. Hutter distributed a copy of the survey of the property to be divided, showing the location of the medical building currently under construction on Lot #1.

Mr. Hutter stated that the developer wishes to subdivide the parcel to accommodate the existing building under construction, as well as an additional medical building to be built on the other half of the property (lot #2). He further stated that, because lot #2 is slightly smaller than lot #1, the proposed medical building will be smaller than the existing one. Additionally, he noted that the developer will own both buildings but would like to reserve the right to sell one or both buildings in the future if the opportunity arises.

Mr. Reilly stated that a shared driveway and cross access for the medical buildings is preferred, rather than two curb cuts onto Camp Road. Mr. Hutter responded that the plan at this time is for a shared driveway for both buildings.

Chairman Koenig declared the public hearing open. He then asked if anyone in the audience wished to speak for or against the proposal. No one spoke.

Chairman Koenig declared the public hearing closed.

Mr. Phillips made a motion, seconded by Mr. Eustace, to issue a Negative Declaration, grant Preliminary Approval to this two-lot subdivision subject to the Engineering Department's comment letter dated December 18, 2007 and waive sidewalks as they are already in existence. Carried.

Engineering Department comments are attached.

Steel Winds II Wind Energy Facility

Mr. Mark Mitskovski of BQ Energy, LLC appeared on behalf of the proposed project. Mr. Mitskovski stated that unfortunately there is no progress for him to report to the Board regarding the issuance of a Negative Declaration by the City of Lackawanna.

Mr. Phillips made a motion, seconded by Mr. McCabe, to table this project. Carried.

Engineering Department comments are attached.

Susan Ljungberg-Murray rezoning request

Mr. Murray, Susan's husband, appeared on behalf of the proposed rezoning.

Mr. Reilly stated that the proposal is to rezone this 1.2 acres of land on Gowanda State Road from C-1 and R-A to NC (Neighborhood Commercial). As the property consists of two zoning classifications, Mrs. Murray has found it difficult to market, hence the request to rezone it to one zoning classification. Mr. Reilly further stated that the Town Board has referred this request to the Planning Board for its input. Additionally, because this property is close to the Village of Hamburg, the Village was notified of this rezoning request and has no objections to it.

Mr. Reilly noted that Mrs. Murray has a potential buyer for the property who is interested in constructing residential units and Mr. Reilly stated that, if the Planning Board recommends the requested rezoning, this does not constitute approval of the buyer's plan for the property. He further stated that there may be difficulties in engineering the site for development.

Chairman Koenig informed Mr. Murray that a neighbor of the property, Kim Ziegler, spoke at the December Work Session regarding this site, stating that there is a large amount of fill on the property and she is worried about erosion of the soil if the property is developed.

Mr. Phillips made a motion, seconded by Mr. Taber, to forward a positive recommendation to the Town Board regarding the rezoning of this property from C-1 and R-A to NC for the following reasons:

1. The request is in compliance with the Town of Hamburg Comprehensive Plan.
2. The Planning Board feels that it may be difficult to engineer this site for development.

Carried.

Engineering Department comments are attached.

Blair House Apartments

Harold Burch of Citilink Ventures International appeared on behalf of the proposed project.

Mr. Reilly reminded the Board that this proposal is for an expansion of the existing Blair House apartment complex and the applicant is looking for formal sketch plan direction before he proceeds with a full site plan for the project. He further stated that this proposal meets all zoning requirements and that one of the issues the Board discussed at the Work Session was a secondary means of egress for the apartment complex.

Mr. Reilly stated that the Planning Board received correspondence from the Conservation Advisory Board, which noted that there are some areas of pine trees on the property it would like to see preserved. Additionally, the Conservation Advisory Board noted that this property is located in an archeologically sensitive area and that the applicant should address that issue during the site plan approval process.

Chairman Koenig noted that the Traffic Safety Advisory Board reviewed this project and recommended that an additional means of ingress and egress be provided off Sowles Road through the new parking area due to fire and other safety issues.

Mr. Reilly stated that the Board is pleased that some of the problems of the existing site, including the poorly paved areas on the property, will be remedied as this project moves forward.

Mr. Burch reported that he met with Fire Chief Robert Traina of the Scranton Fire Company and was informed that the Fire Company would mandate that a curb cut on Sowles Road in the area of the new parking be provided for a secondary

means of ingress and egress. Additionally, Chief Traina indicated that a few of the proposed parking spaces might restrict the movements of fire equipment in the parking area. Mr. Burch stated that he agreed to relocate those spaces so as to facilitate fire company equipment movement.

Mr. Burch stated that he is taking very seriously the upgrades that need to be done to the apartment complex to restore it to the way it was in the past.

A nearby neighbor of the apartment complex, Mr. Sandy Carnevale, spoke regarding the proposal. He stated that he is concerned about the creek that exists in the area and the potential drainage problems that might arise if the new apartment building is constructed, as well as buffering the new building from the nearby residences.

Mr. Reilly advised Mr. Burch to speak with the Building Inspector regarding the flood plain that exists on the property.

Mrs. Rogers stated that she is concerned about the fact that the existing apartment building is two stories in height and the new building would be four stories. Mr. Burch responded that he will provide the Board with renderings of how the existing and new buildings would look together.

Mr. Phillips made a motion, seconded by Mr. Mrs. Rogers, to table this proposal. Carried.

Engineering Department comments are attached.

Mr. McCabe made a motion, seconded by Mr. Taber, to approve the minutes of December 5, 2007. Carried.

Chairman Koenig stated that it has been a pleasure for the Planning Board to work with Councilman Cavalcoli through the years and that he will be missed.

Councilman Cavalcoli stated that it has been a pleasure working with the Planning Board over the years and he feels the Board has always shown the same commitment to excellence and to our citizens and to developers.

The meeting was adjourned at 8:30 p.m.

After the meeting was adjourned, Councilman Cavalcoli requested a closed door meeting with the Planning Board.

Respectfully submitted,

Paul Eustace, Secretary

Planning Board