

Town of Hamburg
Planning Board Work Session
August 4, 2010

Minutes

The Town of Hamburg Planning Board met for a Work Session on Wednesday, August 4, 2010 at 7:00 p.m. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Peter Reszka, Gerard Koenig, Stephen McCabe, David Bellissimo, Karen Rogers and Sasha Yerkovich.

Excused: Brendan Lovullo

Others in attendance included Sarah desJardins.

Chairman Reszka announced that, because the Planning Board's agenda for this meeting was not published in the Hamburg Sun, the Board could not take any action on any project at this meeting.

Buffalo Computer Graphics

Chairman Reszka stated that the applicant asked to be tabled, as the Board could not act on the project this evening.

Mr. Bellissimo made a motion, seconded by Mrs. Rogers, to table this project until the Board's regular August meeting. Carried.

Engineering Department comments have been filed with the Planning Department.

Hamburg Waterfront Studio Apartments

Don Reeves, applicant, and Dan Barone, architect, appeared on behalf of the proposed project.

Chairman Reszka stated that this is the former Heritage Manor Nursing Home and noted that 67 studio apartments are proposed but only 65 parking spaces exist on the site. He further stated that the property is located in the WC (Waterfront Commercial) zone, which does not allow residential uses. He also stated that the applicant is planning to appear at the next Zoning Board of Appeals (ZBA) meeting to request a variance on the number of parking spaces provided and a use variance to allow a residential use in the WC zone.

Mrs. desJardins stated that the Code Review Committee has indicated that it plans to recommend that the Town of Hamburg change the zoning code so that buildings in the WC zone that are (or were in the past) used for residential purposes will be allowed to continue the residential use, as long as the footprint of the building remains the same.

Mrs. desJardins stated that the applicant is requesting a use variance to allow the residential use in the WC zone, as well as a variance for the number of parking spaces provided (134 spaces are required; 65 currently exist on the site).

Board members discussed whether or not the Board could forward a recommendation to the ZBA regarding the number of parking spaces proposed, given the fact that this evening's meeting agenda was not published. Board members decided that they should not forward any recommendation but could discuss the variance request to give the ZBA an idea of their opinion on the issue.

It was determined that Peg's Place (adjacent restaurant) has agreed to allow the applicant to use some of its parking spaces for the apartment project. Don Reeves, applicant, submitted a letter from the owner of Peg's Place indicating the above.

It was determined that Peg's Place must retain the required number of parking spaces it needs to be in compliance with the Town Code (two spaces are required for every five seats in the restaurant). Mr. Barone stated that Peg's Place has 110 seats, so it was determined that 44 of the 59 existing parking spaces at Peg's Place must be allotted to the restaurant and therefore Peg's Place could allow the apartment project to use 15 parking spaces for its tenants. This would mean that the apartment project would be able to provide 80 parking spaces, instead of the required 134.

Mr. Barone stated that the studio apartments are meant for single tenants and are the size of a hotel room.

Mrs. Yerkovich stated that, because the Town is about to change the required number of parking spaces for senior apartments from 2 per unit to 1.5 per unit, the Planning Board might want to think along the same lines for studio apartments, since they are by definition meant for just one person. She noted that, assuming the applicant has the use of 15 spaces from Peg's Place, a total of 80 spaces could be provided for the apartments and 1.5 spaces per unit would mean that 100 spaces would be required. She stated that she would feel more comfortable with the applicant being 20 spaces short in this scenario. She further noted that she feels that 1.5 spaces per unit are more appropriate for studio apartments. Board members concurred.

Mrs. Yerkovich stated that she would suggest that the Code Review Committee discuss changing the required number of parking spaces for studio apartments from 2 per unit to 1.5 per unit. Board members concurred.

Board members discussed with the applicant where the dumpster will be proposed and asked that it be included on the site plan.

In response to a question from Chairman Reszka, Mr. Barone stated that the applicant does not plan to install parking spaces in the existing green space on the west side of the building. Board members agreed that this is another reason to allow the applicant

to provide only the existing parking spaces on the site, noting that it would be preferable to keep the green space intact.

Mrs. Yerkovich stated that positive adaptive re-use is another factor to consider relative to this site, which is in keeping with the Town's framework.

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

Engineering Department comments have been filed with the Planning Department.

Weaver Two-Lot Subdivision

Mrs. desJardins stated that the owner of this property is being relocated and would like to split off the house on the site with 1.3 acres and keep the remaining approximately 2.1 acres of vacant land for himself. She further stated that the applicant has indicated that he has no plans to build on the vacant land but would like to retain it in order to hunt on it.

Mrs. desJardins stated that this property is zoned RA and located in the Lakeview Overlay District and that the Board, if it desires, can increase the bulk regulations (lot area, width at the building line and width at the street line) by 25%. She noted that the lot with the house would not have enough area per the RA requirements or the Overlay requirements (2 acres is required in the RA zone; 2.5 acres would be required per the Overlay). She noted, however, that this lot would have the required width at the street line even with the increase per the Overlay and that it would be 240 feet wide at the building line, which meets the RA requirements but is just short of the 25% increase.

Mrs. desJardins stated that the Lakeview Overlay District allowance for the increase in bulk regulations pertains to standard road frontage lots and that the vacant lot created might not be considered a standard road frontage lot because it would be a "flag lot".

Board members discussed the possibility that some time in the future, if this subdivision is approved, the applicant could sell the flag lot (or a portion of it) to the developer who owns the vacant wooded land to the south of this property for access to the back land.

Board members concurred that this is a self-created hardship. They also concurred that they have been very conservative in recommending on variances or waiving the requirements of the Lakeview Overlay District.

It was determined that this request would be placed on the Board's regular August agenda so that the Board can discuss this with the applicant.

Mr. Koenig made a motion, seconded by Mr. Bellissimo, to table this project. Carried.

Engineering Department comments have been filed with the Planning Department.

Cleve-Hill Tire & Auto

Frank Wailand appeared on behalf of the applicant.

Mrs. desJardins stated that Cleve-Hill proposes to purchase property on the west side of Camp Road and construct a new facility. She further stated that the existing house on the site will be demolished, a new pre-engineering steel building with five bays will be constructed and the existing storage building will remain. She noted that the applicant is proposing more parking spaces than what is required and that she believes there are no variances needed for this project.

Mrs. desJardins stated that this property is located in the Camp Road Overlay District, noting that the following issues must be addressed per the Overlay requirements (the Board can waive any of the following):

- A landscape plan done by a Registered Landscape Architect must be submitted to the Board for its review.
- Three concept sketches of the proposed building must be submitted to the Board for its review.
- The dumpster must be shown on the site plan.
- Storm water detention must either be underground or in the rear of the site.
- 15% of the site must be green space.
- 5% of the interior parking area must be landscaped.

Mr. Wailand agreed to submit green space calculations to the Board for the record.

Board members concurred that three sketches of the proposed building are not necessary and that one sketch can be submitted. However, Board members agreed that Mr. Wailand should submit a colored rendering of the building and indicated that they would like to see a building with some decorative cost-effective elements that is more attractive than that which Mr. Wailand showed them in black and white. Mr. Wailand agreed to look into adding decorative lighting under the soffets, etc.

Mr. Wailand stated that the natural flow of the storm water is from the rear of the site to the front of the site, which is why the detention pond is proposed along Camp Road.

Board members concurred that they will not require landscaping in the parking areas.

Mr. Bellissimo made a motion, seconded by Mrs. Yerkovich, to table this project.
Carried.

Engineering Department comments have been filed with the Planning Department.

Mr. McCabe made a motion, seconded by Mr. Koenig, to approve the minutes of July 21, 2010. Carried.

Mr. Bellissimo made a motion, seconded by Mrs. Rogers, to adjourn the meeting. The meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Stephen J. McCabe, Secretary

Planning Board