

TOWN BOARD MEMBERS PRESENT:

	Steven J. Walters	Supervisor
ARRIVES LATE:	Thomas Best, Jr.	Councilman
	Michael Quinn	Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney; Joseph Collins, Deputy Town Attorney; Samantha Tarczynski, Director of Administration and Finance; Drew Reilly, Planning Consultant; Kurt Allen, Supervising Code Enforcement Officer; Michael Quinn, Engineering Consultant; Christopher Hull, Director of Community Development.

Supervisor Walters calls the meeting to order at 5:32 pm.

1.

On a motion of Supervisor Walters, seconded by Councilman Quinn, the following resolution was

ADOPTED	Ayes	2	Walters, Quinn
	Noes	0	

WHEREAS, the Town of Hamburg applied through the Erie County Soil and Water Conservation District for a grant to complete a survey and design to develop a green infrastructure study at the Town Park Beach; and

WHEREAS the Town of Hamburg has received notice that they have received a \$15,000 grant (with no matching funds required) in response to the green infrastructure grant application; and

WHEREAS, the Town of Hamburg has now received a copy of the agreement between the Erie County Soil and Water Conservation District and the Town of Hamburg to complete this work.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby authorizes the Supervisor to sign the agreement after the Town Attorney’s office has reviewed and approved the form and content of this agreement, and

BE IT FURTHER RESOLVED that the Hamburg Town Board authorizes the Supervisor to enter into agreement with Wendel, a full service architectural and Engineering company who authored the grant application and its scope of work, to complete the work described in the grant application for the estimated fee of \$15,000.

2.

On a motion of Supervisor Walters, seconded by Councilman Quinn, the following resolution was

ADOPTED	Ayes	2	Walters, Quinn
	Noes	0	

RESOLVED, that the Town Board approve the Audit of Cash Disbursements as follows:

TOWN BOARD AUDIT OF CASH DISBURSEMENTS - September 11, 2017			
			VOUCHER #'S
OPERATING FUND:			
BATCH #	147	\$20.00	9934373
BATCH #	148	\$9,878.45	91495-91511
BATCH #	149	\$188,434.52	91512-91579
BATCH #	150	\$27,915.16	91580-91625
BATCH #	151	\$4,130.61	91626-91638
BATCH #	152	\$396,218.55	91640-91663
BATCH #	153	\$32,454.25	91664-91704
BATCH #	154	\$26,564.89	91705-91720
BATCH #	155	\$7,835.65	91723-91727
BATCH #	156	\$132,201.11	91731-91783
TOTAL OPERATING FUND DISBURSEMENTS:			\$825,653.19
TRUS' AGENCY			
BATCH #	3	\$39.87	91639
BATCH #			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$39.87
CAPITAL FUND DISBURSEMENTS:			
BATCH #	28	\$30,617.77	91721-91722
BATCH #	29	\$68,395.90	91728-91730
TOTAL CAPITAL FUND DISBURSEMENTS:			\$99,013.67
PAYROLL:			
PR#	P/R 17	\$742,482.12	
PR #	P/R 18	\$685,135.85	
PR #		\$0.00	
			\$1,427,617.97
TOTAL PAYROLL DISBURSEMENTS:			
PETTY CASH			
			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$2,352,324.70

Supervisor Walters gives an update on the progress made with David Homes on the high foundation issue. Steven Walters then discusses the 4th quarter Town Board schedule.

Drew Reilly, Planning Consultant gives an overview of the Planning Department.
Councilman Best arrives at 5:44 P.M.

Drew Reilly, Planning Consultant and the Town Board discuss the proposed windmills.

Dr. Chris Hannotte Luly, gives an overview of her proposed project to paint the Hamburg water tower as a hamburger replica.

Michale Quinn, Engineering Consultant states that steps have been towards the process to rectify the flooding on Windover Drive.

3.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, the Town Board then moves into Executive Session at 6:25 P.M. on personnel and labor matters.

4.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board adjourn Executive session at 6:52 PM.

Catherine A. Rybczynski, R.M.C.
Town Clerk

MEMO

To: Hamburg Town Board

From: Drew Reilly and Sarah desJardins – Planning Department

Date: September 11, 2017

RE: Planning: Town Board Items- 9/11/17 meeting

The following is an update to the Town Board on Planning Department/ Town Planning projects:

A. Rezoning Items:

Applicants for the rezoning of the former **“Sisters” property at South Park and Sowles road** have made application to the Town (copy of plan given to the TB at a previous meeting), The Code Review Committee has made a formal recommendation on this request and this item was referred to the Planning Board by the Town Board. It is still at the Planning Board as the Town is completing a coordinated SEQR (waiting for information from the applicant).

As of 9/8/17, we have still not received the SEQR information and therefore have not processed the SEQR coordinated review and it remains tabled at the Planning Board.

As you are aware, the development of the **South Shore Golf course and adjoining property** has been discussed over the last few months or so (events held in the COB to discuss its development). We received a rezoning application by e-mail on 4/20/17.

This is a rezoning from PUD to a new PUD, and at a previous Town Board meeting, the Town began the process by referring to the PB and beginning the SEQR process (intent to Pos. Dec).

The applicant then amended the rezoning application (reducing the size) and the Town Board once again referred it to the Planning Board and authorized the SEQR Lead Agency process to begin. The application was placed on the Planning Board agenda for 6/7/17, but the Planning Board tabled the action because the applicant had not submitted the required information; PUD plan, schematic site plan, EAF, etc. The EAF has now been completed and a coordinated review has been completed (The Town Board at your next meeting will officially designate yourselves as SEQR Lead Agency). Once the Planning Board completes their review, they will then provide a recommendation and input to the Town Board (The item has been tabled at the Planning Board due to inaction by the applicant but will be on the PB agenda on 9/20/17).

The Planning Department and Supervisor met with the applicant's representatives on 9/7/17 and we were provided an update on the project. The applicant believes that based on all of the studies they have completed that the Town Board will be able to issue a SEQR Negative Declaration and proceed to rezoning in the next three months. We have not seen any of these studies and if the applicant believes that the project will not require an EIS, we would advise the Town to enter into an agreement with the applicant to have them pay for the costs of having these studies reviewed (the Town may need to hire outside expertise). I can discuss this in greater detail at a future work session.

The Code Review Committee also met with an applicant who may be submitting a rezoning request for the **Great Lakes Concrete** site on Camp road. This project would require coordination with the Village of Hamburg, as the site is partially in the Village.

- B. The Planning Board held their last meeting on 9/6/17 and has a meeting scheduled for 9/20/17. Please see the attached agenda for the 9/20/17 meeting (Note that the Agenda includes a Tim Horton's, Mr. Jablonski's wind turbine, Wetzl apartment project, a nine lot subdivision, the South Shore project and others).
- C. The Code review committee met last formally on 9/6/17 and much of the meeting focused on the proposed rezoning at Great Lakes Concrete. Some code issues (see attached Code meeting agenda) were discussed. The Code Review Committee unanimously recommended **against** the Code revision that would allow two wind turbines on one site. The Town Board, based on this recommendation, will need to decide if you want to do anything with this. The Planning, Building and Legal Departments are working on other code revisions. The Building Department is also working on other updates, including a signage law update.

RESOLUTIONS

Based on the Code Review committee's direction, the Planning Department is proceeding with the Code revisions that have been completed. These revisions were on the last Town Board Agenda and a public hearing has been scheduled for 9/25/17.

Based on a meeting with the Town Attorney, Building Department, Planning, input from others, and activities by the cellular industry and actions by other communities, the Planning Department is recommending a moratorium on Telecommunications Facilities. A public hearing has been scheduled for 9/25/17. Please note that we have been approach by a telecommunications provider's attorney who wants to propose a new tower. He would like his proposal to be grandfathered from this moratorium (he may be at the public hearing).

- D. The Planning Board and Planning Department have re-instituted the “Staff Meetings” and held the first meeting on 6/7/17 and held the latest meeting on 8/9/17. No meeting was held on 9/6/17 as we had no new items. These meetings include representatives of the Advisory committees/Boards (TSAB, CAB, WAC, PB) and Town departments (Engineering, Building, Planning, HIDA, and we are trying to get others when needed). The purposes of this meeting are to review projects before the PB, discuss other development related activities and to receive input from the representatives on Code issues and other development issues affecting the Town.

- E. The Planning Department prepared materials for Training for the Planning Board and Zoning Board of Appeals to meet their Training requirements and held a Training class on 9/6/17.

TOWN OF HAMBURG

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Supervisor
STEVEN J. WALTERS

Councilmembers
MICHAEL QUINN
THOMAS BEST, JR.



Town Attorney
WALTER ROOTH III

Town Clerk
CATHERINE A. RYBCZYNSKI

Highway Superintendent
THOMAS M. BEST, SR

Lake Erie Watershed Protection Alliance (LEWPA) Request for Proposals 2016

Project Title: Hamburg Town Park Beach Green Infrastructure

Project Address or Location: Hamburg Town Park, 4420 Lakeshore Road, Hamburg, New York 14075

Lead Organization: Town of Hamburg

Contact Person: Andrew Reilly, Town Engineer/ Wendel

Phone Number: (716)-688-0766

Email Address: areilly@wendelcompanies.com

Project Cost: \$15,000

Project Timeframe: Work funded by LEWPA grant will be completed by January 2017. Our intent is to use the grant funded study to apply for the Green Innovation Grant Program (GIGP) 2017 funding cycle.

Project Description:

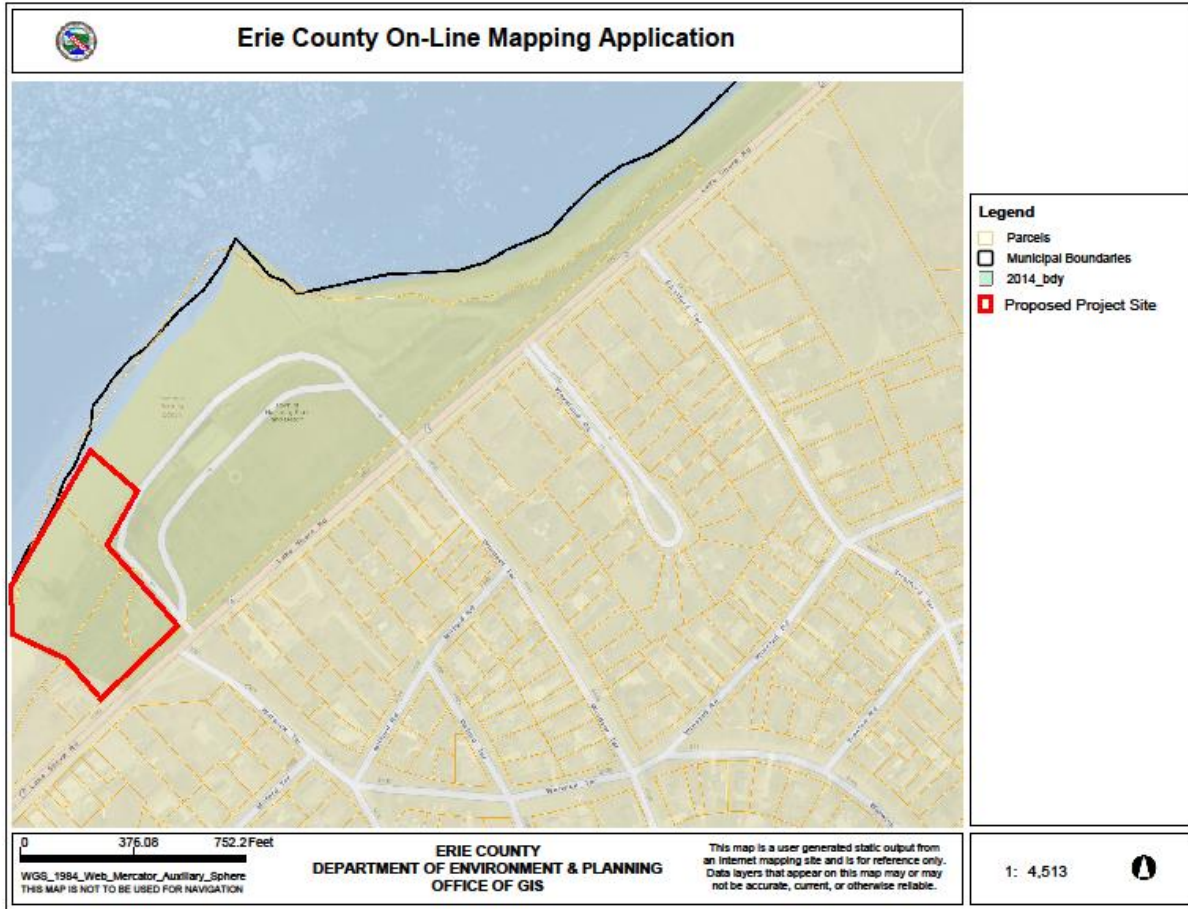
The Town of Hamburg is requesting LEWPA funds, as seed money, to fund survey and design required to develop a green infrastructure study of the existing Town beach (see the attached aerial location map). An existing storm water outfall along the beach collects runoff from surrounding roads and homes and discharges directly to Lake Erie (see attached photo location map and site images 1 - 4). As the existing storm water system was installed prior to modern NYSDEC regulations, no water quality treatment was provided. Funds from LEWPA will enable the Town to evaluate techniques including but not limited to rain gardens, bioretention areas, and/or porous pavement to encourage infiltration and provide water quality treatment of the outfall on Town Park and Beach property. The presence of permeable soils and higher slopes makes the park and beach an ideal location to intercept and treat a portion of storm water runoff through tiered infiltration basins. The LEWPA funded study will be used to apply for GIGP funding to construct the recommended green infrastructure improvement at the beach and park, which will help decrease the discharge of pollutants to Lake Erie. The green infrastructure practices will also feature a variety of native plantings with proper signage that will serve as an excellent educational opportunity to discuss the importance of storm water treatment, runoff reduction, and environmentally sustainable design as a whole. Environmental restoration opportunities will also strive to create new habitat for birds, butterflies, and other wildlife that will add to the aesthetic beauty and appeal of the park.

Project Partners: Shoreline restoration and water quality improvement was identified as a need and is included in The Town of Hamburg Parks and Recreation plan (currently in development). Although not specifically listed, the proposed project is consistent with the Great Lakes Restoration Initiative (GLRI) Action Plan "Focus Area 3: Nearshore Health and Nonpoint Source Pollution". This project also will support LEWPA's mission to "protect and enhance swimming, fishing, and other recreational activities" as well as "reduce point source and non-point source water pollution" within the Lake Erie Watershed.

"It's Great Living in Hamburg... The Town That Friendship Built"
www.townofhamburgny.com

Description of Matching/ Leveraged Funds and Additional Work Being Completed: It is hoped that the LEWPA funding will be leveraged to receive a much larger grant from the NYS GIGP.

Anticipated Water Quality Benefits: Water quality impairments linked to storm water runoff pollution, have caused many coastal beaches along Lake Erie to suffer periodic closures. According to the Natural Resources Defense Council's *Annual Testing the Waters Beach Reports*, Hamburg Beach experiences an average of 21 days closed or on advisory during their beach season each year. In several cases, the NRDC specifically identified storm water as the primary source of closings on New York's beaches. Implementation of green infrastructure to manage and treat storm water runoff has the potential to reduce closures and improve the health of coastal resources. The proposed practices will capture a portion of the first flush and treat the water through bio-filtration prior to discharging to Lake Erie. Over time the shoreline improvements will decrease the pollutant loadings to Lake Erie, improve riparian habitat, and help limit beach closures.



LEWPA Grant Proposal: Photo Location Map





Upper parking area existing outfall pipe.



Existing beach outfall pipe.



Existing beach outfall pipe.



Upper parking area.

Exhibit B

Hamburg Town Park Beach Green Infrastructure

Detailed Budget:

Item	Quantity	Unit	Unit Cost	Total
Development of a Green infrastructure Feasibility Study for Hamburg Town Park Beach, stamped by a qualified professional licensed in NY including all required elements (attached)	1	Lump Sum	XXXXX	15,000
Total				15,000.00

Required Documentation Guidance

1. Feasibility Study

Applicants are required to submit sufficient information to demonstrate that the proposed green infrastructure project is feasible to construct at their site. The Feasibility Study is a written document which must be submitted along with an online application. Based on a design professional's site evaluation, the Feasibility Study provides the basis and justification for your proposed design.

The Feasibility Study must be signed and stamped by a Qualified Professional licensed or certified to practice in New York State. A qualified professional is an individual who is knowledgeable in the principles and practices of stormwater management and treatment, such as a Professional Engineer or Registered Landscape Architect.

Required Elements

NOTE: The Feasibility Study must primarily address the green infrastructure practice(s), even if it is a portion of a larger project.

The recommended outline below contains the required elements which must be included when preparing your Feasibility Study.

I. **Cover Page** (*project title, owner, prepared by, professional's stamp, and date*)

II. **Executive Summary** (*Overview of the project's purpose*)

III. **Project Objective(s)** (*Describe goals for Green Infrastructure elements. Indicate whether the green infrastructure elements are a portion of a larger project.*)

NOTE: Only the green practices constructed that exceed the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity are eligible for GIGP funding.

IV. **Existing Conditions:** Include an analysis of the proposed project site which addresses the following elements:

- a. Current Land Use
- b. Depth to Bedrock
- c. USGS Soil Classification at green infrastructure practice location(s) (*see [USDA Web Soil Survey mapping tool](#)*)
- d. Depth to water table at green infrastructure practice location(s)
- e. Discussion of any other site considerations (*wetlands, flood plain elevations, hotspots, brownfield remediation or other potential design issues at the site*)
- f. Results of any boring logs, infiltration tests, or other subsurface investigations. If your project is selected, these will be required as part of the design process.

NOTE: If site conditions are not conducive to implementing green infrastructure practices, you should consider alternative funding sources that can support these other activities.

V. Project Description

- a. **Recommended Green Infrastructure Practice(s):** Provide a narrative that explains the proposed project and green infrastructure practices and why they were selected. Please note, only the following green infrastructure practices are eligible for GIGP funding: Permeable pavement, e.g. porous asphalt, concrete, or pavers; bioretention, e.g. rain gardens or bioswales; green roofs and green walls; stormwater street trees / urban forestry programs designed to manage stormwater; construction or restoration of wetlands, floodplains, or riparian buffers; stream daylighting; downspout disconnection; and stormwater harvesting and reuse, e.g. rain barrel and cistern projects. Additional information on these practices can be found at www.efc.ny.gov/gigp or in the CFA Available Resources Guide.
- b. Provide an estimate of the water quality volume to be managed through infiltration, evapotranspiration, and / or use on site. The [NYSDEC Runoff Reduction Worksheets](#) may be used as a reference in calculating estimates.

NOTE: For Feasibility Study purposes the WQv is an estimated quantity only based on a conceptual design that will be refined during the design development process. The NYSDEC worksheets are available as a reference tool but their use is not required at this stage.

VI. Proposed Project Schedule (*Estimated construction start date -- should be no later than two (2) years from the expected execution date of the grant agreement.*)

VII. Anticipated Regulatory Approval and Permits (*list all that will apply -- e.g., NYSDEC, NYS DOT, etc.*)

VIII. Project Cost Estimate: Include costs for Construction, Engineering, Equipment, Legal, Administrative Force Account, Technical Force Account, and Contingency. All costs should be in Current Year Dollars.

IX. Water Quality / Water Quantity Monitoring: If you are proposing water quality and / or water quantity monitoring, you must include a monitoring proposal and identify proposed costs in your budget.

NOTE: Projects classified as 212 (Point Source) projects under the Clean Water Act are eligible for funding to support the purchase of water quality/quantity monitoring equipment.

Projects classified as 319 (Non-Point Source) projects under the Clean Water Act are eligible for funding to support the purchase of water quality/quantity monitoring equipment, and up to three years of water quality/quantity monitoring activities.

Contact EFC directly for guidance on determining how your project will be classified.

Additional guidance on water quality and water quantity monitoring is available on EFC's [website](#).

2. Existing Conditions Graphic

A plan or diagram of the existing project site is required. It must include:

- a. Engineer / Landscape Architect name; date and project title
- b. North arrow / legend
- c. Graphical scale
- d. Site features (wetlands, streets, buildings, etc.)
- e. Location map
- f. Site topography
- g. Project location / address (including nearest cross street)
- h. Stormwater flowpath (also consider adjacent sites)
- i. Nearest receiving waterbody
- j. Location relative to the 100-year floodplain
- k. Other site considerations (hotspots, brownfield remediation or other potential design issues at the site)
- l. Location of any available boring logs, infiltration tests, or other subsurface investigations.

3. Conceptual Site Plan

A plan or diagram of the project's conceptual design is required. It must include:

- a. Engineer / Landscape Architect name; date and project title
- b. North arrow / legend
- c. Graphical scale (1" = 10', 20', 30', 40', 50', 60' or 100')
- d. Location map
- e. Site features (wetlands, nearest waterbody, streets, buildings, etc.)
- f. Proposed GI practice location / layout showing stormwater flowpath (arrows)
- g. Estimated drainage area (indicate area(s) to be managed by each practice)
- h. Site grading (proposed conditions)
- i. Other design considerations

4. Site Photographs

Please submit photographs that are representative of existing site conditions.