

Town of Hamburg  
Planning Board Meeting  
June 21, 2017  
Minutes

The Town of Hamburg Planning Board met for a Work Session at 6:30 P.M., followed by a Regular Meeting at 7:00 P.M. on Wednesday, June 21, 2017 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O’Connell, Vice-Chairman William Clark, Doug Schawel, Augie Geraci, Dennis Chapman, Robert Mahoney and Al Monaco.

Others in attendance included Town Planner Andrew Reilly, Assistant Municipal Engineer Rick Lardo and Attorney Mark Walling.

**WORK SESSION**

**Catherine Lake, LLC – Requesting Site Plan Approval of a 21,600 sq.ft. addition to the existing facility at 3175 Lakeshore Road**

A representative of Catherine Lake, LLC stated that the proposal is to construct three (3) storage building additions.

In response to a question from Mr. Reilly, the representative stated that they would like to move the product that is currently stored inside the building to these addition areas.

Mr. Lardo stated that he had no comments on the proposal.

In response to a question from Mr. Reilly, the representative stated that currently the material they are looking to recover additional metal out of is loaded in trucks and taken to a landfill. He stated that the existing rail line will be brought to the area of the additions, and eventually the product to be landfilled will leave the site via rail.

Mr. Reilly suggested that the applicant add the planned rail line extension to the Site Plan, as well as the existing roadway in front of the building.

Mr. Clark made a motion, seconded by Mr. Chapman, to schedule a public hearing to be held on July 12, 2017 and authorize the Planning Department to prepare resolutions for that meeting. Carried.

Engineering Department comments have been filed with the Planning Department.

**Lakeview Corner Store – Requesting Site Plan Approval of a proposed new parking area to be located adjacent to the existing store at 5946 Lakeshore Road**

Mr. Dennis LoTempio, applicant, stated that he would like to construct a new parking lot behind his store because the only parking he has is in front of the store.

Mr. Reilly advised Mr. LoTempio that he should consider closing the existing parking area in front of the building. Mr. LoTempio stated that he will close it down if the Board wants him

to, but that will make it difficult for people approaching his store from Dover Road to access the site.

It was determined that Mr. LoTempio owns the wooded area north of the proposed parking area, and that will serve as the required buffer area to the nearby residential properties.

Mr. LoTempio stated that he has spoken to two (2) nearby property owners, and he plans to construct a berm and install a fence to buffer the existing homes on the east side of the new parking area.

Mr. LoTempio stated that he will be moving the existing dumpsters to a new location and will place them on a pad and enclose them as required by the Town.

Mr. Clark made a motion, seconded by Mr. Chapman, to schedule a public hearing to be held on July 12, 2017 and authorize the Planning Department to prepare draft resolutions for that meeting. Carried.

Engineering Department comments have been filed with the Planning Department.

## **REGULAR MEETING**

### **Public Hearing – 7:00 P.M., KUB Holdings – Requesting Site Plan Approval of a 9,600 sq.ft. new building to be constructed at 3985 Lakeshore Road**

Mr. Mike Kubiszan, applicant, stated that he has changed the location of the proposed new building so that it is within the required distance from the existing fire hydrant on Lakeshore Road. He stated that he met with Kurt Allen, who prefers that the building be constructed where it is now proposed.

Mr. Kubiszan stated that the doors on the new building will not face the road.

Mr. Reilly stated that this property is located in the Local Waterfront Revitalization Area.

The Board determined that the planned public hearing would be rescheduled to July 12, 2017 because the location of the new building has been changed.

Mr. Clark made a motion, seconded by Mr. Geraci, to reschedule the public hearing for July 12, 2017. Carried.

Board members directed Mr. Reilly to prepare draft resolutions for July 12, 2017.

Engineering Department comments have been filed with the Planning Department.

### **Public Hearing – 7:00 P.M., Goddard Development Partners – Requesting Preliminary Approval of a two-lot subdivision to be located at 5363 Southwestern Boulevard**

Brian Burri from Bergmann Associates, representing the applicant, stated that the proposal is to subdivide this parcel into two (2) separate lots. He stated that the Mavis Discount Tire building that was recently approved by the Planning Board would occupy Lot # 1 (1.67 acres), and future development would go on Lot # 2 (1.84 acres).

Mr. Burri stated that the two (2) lots would share access to Southwestern Boulevard, noting that there would be a reciprocal easement agreement between the owners of the two (2) lots. He stated that the reciprocal easement agreement was provided to Attorney Walling.

Mr. Reilly stated that Kurt Allen, Supervising Code Enforcement Official, noted that he does not agree with the Planning Board allowing the applicant to clear the entire site without a user for Lot # 2.

Mr. Schawel read the following notice of public hearing:

“Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on June 21, 2017 in Room 7B of Hamburg Town Hall at 7:00 P.M. regarding a two-lot subdivision proposed by Goddard Development Partners to be located at 5363 Southwestern Boulevard.”

Chairman O’Connell declared the public hearing open. No one spoke.

Chairman O’Connell declared the public hearing closed.

Mr. Clark made the following motion, seconded by Mr. Schawel:

“In accordance with New York State SEQR Law, the Hamburg Planning Board has reviewed the two-lot subdivision proposed by Goddard Development Partners to be located on vacant land at 5363 Southwestern Boulevard. Based on the Preliminary Plat, review of the submitted materials and input from other departments, the Planning Board has determined that the proposed subdivision is not anticipated to result in any significant adverse environmental impacts and that a Negative Declaration is hereby issued.”

Carried.

Mr. Clark made the following motion, seconded by Mr. Mahoney:

“The Hamburg Planning Board hereby grants Preliminary Plat Approval for the Goddard Development Partners Two-Lot Subdivision with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated 6/21/2017.
2. Recreation fees in lieu of land will be required.
3. Sign-off by the Planning Board Attorney of the Declaration of Easements, Covenants and Restrictions, particularly the easement regarding the shared driveway, will be required before approval is given.”

Carried.

Engineering Department comments have been filed with the Planning Department.

## **OTHER BUSINESS**

Mr. Schawel made a motion, seconded by Mr. Monaco, to approve the minutes of June 7, 2017.

Carried.

Mr. Schawel made a motion, seconded by Mr. Geraci, to adjourn the meeting. The meeting was adjourned at 7:25 P.M.

Respectfully submitted,

Doug Schawel, Secretary

July 10, 2017