

Town of Hamburg
Planning Board Meeting
August 9, 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, August 9, 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

Cherry Cars – Requesting a Special Use Permit to operate an auto sales business at 4670 Camp Road

Mr. Michael Deni, applicant, stated that he recently purchased the building at 4670 Camp Road. He noted that the property is zoned C-2 and is in the area of Camp Road that allows automotive sales. He stated that the building was constructed in 1975 and used for automotive sales for approximately ten (10) years.

Mr. Reilly stated that under the current laws, the existing pavement the applicant intends to use for displaying vehicles is too close to Camp Road. He stated that the Board will have to decide how far from the road the vehicle display will be permitted, and he noted that the Board would like to see some landscaping between Camp Road and the existing pavement.

In response to a question from Mr. Clark, Mr. Deni stated that he plans to sell vehicles that are between one (1) and three (3) years old, and no outside service work will be performed on site.

Mr. Clark made a motion, seconded by Mr. Chapman, to schedule a public hearing to be held on August 23, 2017. Carried.

Engineering Department comments have been filed with the Planning Department.

REGULAR MEETING

Jordan Mack (Mack Services LLC) – Requesting a Special Use Permit to operate a Budget Truck Rental business at 4501 Southwestern Boulevard

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

“Whereas, the Town of Hamburg received a special use permit application from Jordan Mack to operate a Budget Truck Rental business at 4501 Southwestern Boulevard; and

Whereas, on July 26, 2017 the Hamburg Planning Board held the required public hearing and received comments from the public; and

Whereas, the Hamburg Planning Board, in accordance with the New York State Environmental Quality Review Act (SEQRA), has done a thorough review of the project and its potential impacts, and

Whereas, the Hamburg Planning Board, in accordance with SEQRA, has determined that the proposed special use permit and operation of a truck rental business will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations.

Now, Therefore, Be It Resolved, that the Town of Hamburg Planning Board hereby determines that the proposed Special Use Permit is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued, and the Planning Board chairman is authorized to sign the EAF.”

Carried.

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

“**Whereas**, the Town of Hamburg received a special use permit application from Jordan Mack to operate a Budget Truck Rental business at 4501 Southwestern Boulevard; and

Whereas, on July 26, 2017 the Hamburg Planning Board held the required public hearing and received comments from the public; and

Whereas, the Hamburg Planning Board in reviewing the proposed project (special use permit), has determined, in accordance with Section 280-312 and 280-322 that:

1. The project will be in harmony with the purposes and intent of Section 280-312 (Special Use Permits).
2. The project will not create a hazard to health, safety and general welfare.
3. The project will not alter the essential character of the neighborhood, nor will it be detrimental to its residents.
4. The project will not otherwise be detrimental to the public convenience and welfare, and
5. The project meets the criteria listed in Section 280-322; unloading occurs on site, it is located on a major arterial, and is not within 500 feet of a residential building.

Now, Therefore, Be It Resolved, that the Town of Hamburg Planning Board hereby determines that the proposed Special Use Permit is in accordance with the requirements of the Town of Hamburg and therefore a special use permit is hereby issued with the following conditions:

1. No more than ten (10) rental trucks shall be parked on the property, in the location as shown on the drawing.”

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, submitted a revised Site Plan based on the Planning Board's previous concerns, as well as comments from the Engineering Department.

Chairman O'Connell read correspondence from Mr. LoTempio's engineer responding to the Engineering Department comment letter.

Board members discussed the intersection of Lakeshore Road and Dover Road in terms of how to dissuade customers from parking there. Mr. Lardo suggested that the applicant stripe the area with cross hatching and put "Deliveries only" signs up.

Mr. LoTempio stated that he plans to shut the existing front entrance to the store down and replace it with an entrance to the rear that will be attached to the new parking area.

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

"In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the Lakeview Corner Store project, which involves the construction of a new parking area to service the existing business located at 5946 Lakeshore Road, and held the required public hearing on July 12, 2017. The project meets the criteria established in the SEQR law as a Type II action (617.5 (c) (7) and therefore does not require completion of the SEQR process.

Motion to grant Conditional Site Plan Approval with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated August 9, 2017.
- The existing parking area at the intersection of Lakeshore Road and Dover Road shall be posted "deliveries only" with pavement markings."

Carried.

Engineering Department comments have been filed with the Planning Department.

Colley's Pools (4953 Camp Road) – Requesting Planning Board approval of a revised Site Plan

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

"Whereas, the Town of Hamburg received a site plan application from Colley's Pools to construct a 17,600 sq.ft. building and related improvements on property located at 4953 Camp Road and conditionally approved the project on October 19, 2016; and

Whereas, the Site Plan has been amended to reflect input from the New York State Department of Transportation (NYSDOT), and the building square footage has been reduced to 16,500 sq.ft., and

Whereas, the Planning Board issued a SEQR Negative Declaration on October 19, 2016, and the project changes do not create any significant impact that would warrant re-opening SEQR and making a new SEQR decision.

Now, Therefore, Be It Resolved, that the Hamburg Planning Board hereby grants re-approval of the Site Plan with the following conditions:

- Approval is contingent upon the Engineering Department comment letter dated August 9, 2017.”

Carried.

Engineering Department comments have been filed with the Planning Department.

OTHER BUSINESS

Mr. Geraci made a motion, seconded by Mr. Chapman, to approve the minutes of July 26, 2017.

Carried.

Mr. Schawel made a motion, seconded by Mr. Geraci, to adjourn the meeting. The meeting was adjourned at 7:30 P.M.

Respectfully submitted,
Doug Schawel, Secretary
August 17, 2017