

Town of Hamburg
Planning Board Meeting
January 21, 2015
Minutes

The Town of Hamburg Planning Board met for a Regular Meeting at 7:00 P.M. on Wednesday, January 21, 2015 in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Daniel O'Connell, David Bellissimo, Stephen McCabe, Augie Geraci, Doug Schawel and Joseph Collins.

Others in attendance included Planning Board Attorney Ryan McCann, Assistant Municipal Engineer Rick Lardo and Town Planner Andrew Reilly.

Excused: William Clark

REGULAR MEETING

Chairman O'Connell appointed David Bellissimo as Vice-Chairman of the Planning Board for 2015 and Stephen McCabe as Secretary of the Planning Board for 2015.

Big Tree Firemen's Company (Big Tree Road @ Bristol Road)

Mr. Stan Fiegel from the Big Tree Fire Department gave Board members an overview of how the idea of building this new fire hall came about. He noted that both of the current fire stations will be sold.

Mr. Reilly stated that the applicant has submitted a preliminary jurisdictional determination from the U.S. Army Corps of Engineers stating that the applicant has permission to fill in a very small area of wetlands on the site. He further noted that no siren is planned, and shielded lighting is proposed. He advised the applicant that adequate screening will be required, especially along Bristol Road, and the landscaping plan will have to adhere to the Town of Hamburg screening requirements.

Mr. Bellissimo made the following motion regarding SEQR, seconded by Mr. McCabe:

"In accordance with the New York State SEQR Law, the Town of Hamburg Planning Board has reviewed the Big Tree Volunteer Firemen's Company project, which involves the construction of a new fire hall to be located on the northeast corner of Big Tree Road and Bristol Road, received input from various Town departments and held the required public hearing on January 7, 2015. Based on this review and input, the Planning Board has determined that the project is not anticipated to result in any significant adverse environmental impacts and that a Negative Declaration is hereby issued, and the Chairman is authorized to sign the EAF."

Carried.

Mr. Bellissimo made a motion, seconded by Mr. Collins, to grant Conditional Site Plan Approval for this project with the following conditions:

1. Approval is contingent upon the Engineering Department comment letter dated January 21, 2015.
2. The landscaping plan shall be reviewed and approved by the Planning Department and must meet the requirements of the Town Code regarding screening of parking areas.

3. Approval is contingent upon the applicant receiving a variance from the Zoning Board of Appeals regarding the proposed parking in the required front yard and exterior side yard.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Sharma Development, Phase 1 – Pleasant Avenue

Attorney Sean Hopkins, representing the applicant, stated that the applicant has received approval from Erie County Department of Public Works in terms of highway access. He further noted that a landscaping plan has been prepared by a Registered Landscape Architect.

Mr. Reilly stated that the biggest issue the applicant has at this point is getting approval from the New York State Department of Environmental Conservation (NYSDEC) to impact a portion of the 100-foot adjacent area to the wetlands on the property.

Attorney Hopkins stated that this approval will not apply to Phase I of the project, which is what is being considered at this time. He further stated that because of the topography of this site, there is a clear demarcation between the wetland itself and the remainder of the site.

Mr. Reilly stated that the Negative Declaration issued by the Planning Board will be for the entire project, although only Phase I will be approved initially.

In response to a question from Mr. McCabe, Rob Pidanick from Nussbaumer & Clarke stated that a storm water management plan was submitted to the NYSDEC for its review.

Mr. Bellissimo made the following motion, seconded by Mr. Collins:

“Whereas, the Town of Hamburg received a site plan application for a medical complex proposed on the property located at 2836 Pleasant Avenue near Southwestern Boulevard; and

Whereas, 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 coordinated review of the project and its potential impacts, and

Whereas, the Hamburg Planning Board, in accordance with SEQRA, has reviewed and completed parts 1 and 2 of the EAF and taken a hard look at the potential environmental impacts of this project, and has determined that the proposed project (as presented and amended at the 1/21/15 meeting) 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 Sharma medical complex is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued, and

Be It Finally Resolved, that the Planning Board chairman is authorized to sign the EAF.”

Carried.

Engineering Department comments have been filed with the Planning Department.

Camp Road Development Medical Building

Mr. Reilly stated that this project was previously approved by the Planning Board with a new right-in/right-out access at the south end of the property. He noted that New York State Department of Transportation will not approve this curb cut, so the Planning Department is recommending that the Planning Board issue a revised Site Plan Approval for this project without the new curb cut.

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

“Whereas, Camp Road Development received a Negative Declaration and Site Plan Approval for the medical office park project at 4901 Camp Road on June 4, 2014; and

Whereas, the site plan was approved with two (2) access points onto Camp Road, one (1) being a restricted access; and

Whereas, during the reviews and permitting of the final plans, the New York State Department of Transportation determined that the second access (the restricted access) was not warranted and therefore would not be approved on this State Highway.

Now, Therefore, Be It Resolved, that the Hamburg Planning Board hereby approves the amended Site Plan without the secondary means of access (the restricted driveway) and in doing so confirms that the SEQRA Negative Declaration remains valid, as the change does not cause any significant environmental impact.”

Carried.

OTHER BUSINESS

Chairman O’Connell stated that Andy Gow (from Nussbaumer & Clarke) has a son who was seriously injured and is paralyzed. He noted that a benefit is being held for his son on February 7, 2015 and asked members to either attend the benefit or donate to the cause.

Mr. Schawel discussed a possible training opportunity for Board members in Eden. He noted that this is an informal group that meets to discuss issues in local towns, and it meets four times per year.

Mr. Bellissimo made a motion, seconded by Mr. Geraci, to approve the minutes of January 7, 2014. As there were five (5) ayes and one (1) abstention (Mr. Collins), the motion passed.

Mr. Bellissimo made a motion, seconded by Mr. Geraci, to adjourn the meeting. The meeting was adjourned at 7:31 P.M.

Respectfully submitted,
Stephen J. McCabe, Secretary
Planning Board

Date: January 26, 2015